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## House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, You are forever refuge and strength for the Members of the House of Representatives and for all the military forces of the United States of America.

United in common patriotism and by the spirit of prayer today, we mentally remove ourselves from this honored and secure Chamber and desire to stand with our military, both in Iraq and Afghanistan, and pray together with our troops.

Together we seek an end to war and all forms of terrorism. Together we long for peace. Together we desire to see respect for human life and civil rights in all the streets of Baghdad and the valleys of Afghanistan. Together we are resolved to work to form stronger national unions in these countries with domestic tranquillity and common defense. Together we hope they will establish equal justice under the law. Together we pray for the secure blessing of liberty for ourselves and the posterity of Iraq and Afghanistan.

Lord God, You have placed these movements in our hearts. Show America how to accomplish this task today, tomorrow and every day. For we place all our trust in You now and forever. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. PALLONE. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PALLONE. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. SIREs) come forward and lead the House in the Pledge of Allegiance.

Mr. SIREs led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain ten 1-minutes on each side.

### REPUBLICANS SEEM CONTENT TO GIVE THE PRESIDENT ANOTHER BLANK CHECK ON IRAQ

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Madam Speaker, this week the war in Iraq enters its fifth year. Today I doubt anyone in this Chamber will stand up and say that it has gone as expected.

Our troops have served this Nation admirably, but the Bush war cabinet failed to properly plan for a war in Iraq. As a result, even the Pentagon now admits what many of us have been saying for months: A civil war is being fought in Iraq.

This week, we have an opportunity to send the President a message that this war is not going to go on indefinitely. Even in the face of increased violence in Iraq and the lack of real progress towards a political solution, congressional Republicans continue to pledge to stay the course.

Madam Speaker, the days of rubber-stamping the President's requests are over. The American people want Iraq to take responsibility for its own nation. The only way that is going to happen is if the Iraqi Government knows we are not going to be there indefinitely.

### FY 2007 SUPPLEMENTAL BILL

(Mr. HERGER asked and was given permission to address the House for 1 minute.)

Mr. HERGER. Mr. Speaker, I rise in strong opposition to the FY 2007 supplemental measure as currently written. It would place dangerous constraints on our mission and our war on terrorism in Iraq by empowering our Congress to overrule our Nation's top generals, who best understand the challenges there. Our Iraq policy should be based on the recommendation of General Petraeus, not the commands of armchair generals in Congress. Our Nation's mission in Iraq is too important to fall victim to the dangerous congressional micromanagement.

Iraq is a central front in a war against the radical jihadists. The outcome of this mission will greatly impact our national security for decades to come. For this reason, this body should pass a supplemental bill that fully funds our troops, without tying the hands of our military commanders.

Vote "no" on this supplemental.

### VOTE "YES" ON HOUSE RESOLUTION 1234

(Mr. KUCINICH asked and was given permission to address the House for 1

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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minute and to revise and extend his remarks.)

Mr. KUCINICH. Let's speak of the consequences of a "yes" vote on the Iraq supplemental.

A "yes" vote would keep the war going through the end of President Bush's term. It would provide money to fuel an attack on Iran. It would force the privatization of Iraqi oil. It would escalate the insurgency. A "yes" vote would increase the number of troop casualties in the middle of a civil war. It would increase the number of civilian casualties. It would create a demand for more troops. It would force a cutback in the agenda of many in Congress because money that could be used for schools, health care, seniors and the environment would continue to be spent for war. It would force the destabilization of the Middle East and would erode the public's confidence in Congress.

It is time to end the war; to bring the troops home; to use the money that is in the pipeline to bring the troops home; to set in place a parallel process to stabilize Iraq. That is what House Resolution 1234 is about. I urge its consideration and support of Members of Congress.

#### BUYING VOTES TO MICROMANAGE WAR IS WRONG

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, today we will debate the emergency supplemental to fund our efforts in Iraq and in Afghanistan. Will it be an open debate? No. We will be operating under a closed rule with no amendments. Will it be a focused debate? No. Unless you believe that pork barrel spending on spinach farmers and peanut storage are critical to the global war on terror.

A USA Today editorial said this: "It is hard to say which is worse, leaders offering peanuts for a vote of this magnitude, or Members allowing their votes to be bought for peanuts. These provisions demean a bill that if enacted would affect the lives of troops in Iraq and Afghanistan, the balance of power in the Middle East and America's long-term security."

Reports today also say that if pork-barrel spending isn't enough, that Democrat leaders are issuing veiled threats, such as the loss of committee assignments, for those Members who oppose them. The Democrat leaders offered the voters change in November, but all the Nation is getting is politics worse than usual.

The supplemental should be defeated, and the Democrat majority should come back with a bill that honors our troops and does not demean their sacrifice.

#### IN FAVOR OF THE WAR SUPPLEMENTAL

(Mr. PATRICK J. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today in strong support of a new direction in Iraq.

For 4 years, Republican Congresses followed lock-step as this President led our country into an open-ended commitment refereeing a religious civil war on the streets of Baghdad and Iraq.

After the fall of Saddam Hussein, ensuring no weapons of mass destruction, and several elections, the Republican Congress still follows lock-step as my fellow soldiers continue to give the ultimate sacrifice in Iraq, without a clear mission, without benchmarks to determine success, and without a clear timeline for coming home. That ends in the 110th Congress. This is a defining moment.

Mr. Speaker, many of us were elected to Congress on the promise of new leadership. That is what the Iraq Accountability Act does. It leads the way out of Iraq, leads the way to rebuild our overextended Army, and leads the way to win the war on terror.

For too long the American people have been craving leadership, craving accountability and craving new direction in Iraq. Let's give them that with this piece of legislation.

#### LET'S GIVE OUR TROOPS A CLEAN EMERGENCY SPENDING BILL

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I support the war in Iraq and the President's call for reinforcements. I made every effort to support our troops in the field, but I cannot support the Iraq supplemental because it is fiscally irresponsible and constitutionally flawed.

Emergency war spending bills should be about emergency war spending. In addition to much-needed support for our troops, this legislation contains billions of dollars in domestic spending that have nothing whatsoever to do with our national defense. And this bill is constitutionally flawed.

Under the Constitution, it is very clear; Congress may declare war; Congress may choose to fund or choose not to fund war; but Congress may not conduct war.

Mr. Speaker, this legislation is fiscally irresponsible and constitutionally flawed. The American people expect this Congress to send our soldiers the resources they need to win in Afghanistan and Iraq with no strings and no pork. I urge my colleagues on the other side of the aisle, consider carefully what you will do today. The American people want our troops to come home, but they want them to win and come home. Let's give them a

clean emergency spending bill, and give them a chance to do just that.

#### FEBRUARY JOB NUMBERS

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, the most recent employment report showing modest job gains in February provided further signs of a slowing economy. Private sector employment rose by just 58,000 jobs, the smallest monthly gain in nearly 2½ years.

The unemployment rate edged down last month only because the labor force shrank, and many people are discouraged by their job prospects. This is hardly the picture of a robust labor market, which is not good news for workers.

President Bush is now tied with his father for the dubious honor of having the worst job-creation record of any President since President Hoover. American families are understandably worried about the future because the economy is weakening even before many have shared in the gains from the economic growth so far.

□ 1015

#### EMERGENCY SUPPLEMENTAL FUNDS PORK

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, this week politicians in Congress are trying to use our military troops as a bargaining chip for their own pork barrel and domestic projects. Some of these projects are designed to buy votes of wavering Members. The bill includes such things as \$25 million for spinach subsidies, \$74 million for peanut storage, \$120 million for the shrimp industry, money for extra office space for the House of Representatives.

This bill ought to focus on our troops. Congress is telling the President you cannot fund body armor for our troops in combat until you give us more money for our pet projects and pork barrel. Those tactics are fiscally irresponsible and wrong. Let's pass a clean emergency spending bill.

#### ALL AMERICANS DESERVE REPRESENTATION IN HOUSE OF REPRESENTATIVES

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, I stand today to support legislation that will bring Washington, D.C. into this century. It is time to give the citizens of Washington, D.C. the right to vote in the United States Congress.

They have the right to pay taxes, but they don't have the right to vote in the United States Congress. They have the right to serve in the military, but they don't have the right to vote in the United States Congress.

While the Constitution of the United States does not directly address this question, it does speak of government of the people, by the people, for the people. It is time for the people of Washington, D.C. to participate in this form of government.

No other democracy in the free world has in its capital people who cannot vote. It is time to give the citizens of Washington, D.C. the right to vote in the United States Congress.

#### EMERGENCY SUPPLEMENTAL FUNDS PORK, LITERALLY

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, "such sums as may be necessary are hereby appropriated for livestock producers."

Mr. Speaker, the so-called U.S. Troops Readiness, Veterans' Health and Iraq Accountability Act contains this open-ended appropriation for pork, literally. The Troops Readiness bill contains another open-ended payment of taxpayer dollars for crop payments.

While the bill restricts funding for our troops, it would provide \$25 million in a bailout for spinach farmers, another \$74 in taxpayer dollars for peanut storage, and \$283 million for milk producers. All of this spending is designated under the bill as emergency wartime supplemental appropriations, language that means that the bill waives the budget so we can pay pork producers. It is ironic that this bill treats pork producers better than our troops.

It is no wonder that the majority will not be allowed amendments to this bill, because the American people would not approve the payment of pork spending under the name of our troops overseas.

#### NO MILITARY SOLUTION TO IRAQ WAR

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, this week the House will have a chance to move the Iraq war in a new direction: one that holds the Iraqi Government accountable for meeting benchmarks that they have already promised they could make.

In contrast, the President's only answer is an open-ended commitment to what even his own Pentagon now admits is a civil war. Military leaders across the board have already told the President that there is no military solution to the war, and yet he continues with the status quo.

Lieutenant General Peter Chiarelli said in December: "The proper political

pieces must be in place in order for any of the military, economic or social initiatives to take hold and flourish."

Lieutenant General Raymond Odierno said: "It is clear you cannot solve this problem militarily."

And just last month, Major General Paul Eaton said: "Time and again, they have shown a tendency to focus almost exclusively on military solutions to problems without leveraging the full economic, political and diplomatic solutions to problems."

These military leaders are correct. Iraqis must step forward and make critical political reforms if they really want to begin to stem the violence. But unlike the President, Democrats will finally demand some accountability from the Iraqi Government this week.

#### EMERGENCY WAR SPENDING

(Ms. GRANGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GRANGER. Mr. Speaker, I rise this morning in strong opposition to the Democrat-sponsored emergency supplemental. I fully support funding our troops, but I will not be coerced into voting for a politically motivated deadline that helps our enemy.

As an appropriator, I am deeply disappointed that the important mission of funding our troops in harm's way has been overshadowed by over \$21 billion in nonemergency spending. There is an appropriate time and place to discuss the war and funding important projects, but it shouldn't be done on the backs of young Americans fighting overseas.

Setting deadlines and threatening to restrict funds emboldens our common enemy and will have disastrous effects on the morale of American and Iraqi troops fighting to bring security to our war-torn region. Bringing troops home before the situation has been stabilized won't end our global struggle against terrorism. It would do the opposite.

I urge Members to oppose the supplemental. Our troops deserve to be fully funded, and they clearly deserve the support required to succeed. General Petraeus deserves time to work his plan. He is the general on the ground, not the Congress.

#### MAN'S BEST FRIEND

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, Presidents Washington and Lincoln understood, as does Michael Auberry, the true value of man's best friend.

America would have never known the greatness of General George Washington if his dog, Mopsey, had not saved the young lad when he wandered far from home.

Fido, Lincoln's dog, allegedly jumped in front of a knife-wielding drunk, sav-

ing President Lincoln from injury. Gandalf is the latest of these heroes.

Gandalf, a 2-year-old Shiloh shepherd heard the cries for help and answered like a true soldier. He led searchers to Michael Auberry, a 12-year-old Boy Scout who had been lost for 4 days in the woods. Thanks to Gandalf, Michael was safely returned to his family.

Gandalf, a search-and-rescue dog, is a trailing dog trained to pursue specific individuals by following their scent. When time is short and the situation is extreme, it is man's best friend who answers the call. Rescue dogs, bomb sniffing dogs, and drug dogs are always loyal to guide, reassure, rescue, and save us.

As Harry Truman once said: "Dogs are as necessary to the welfare of our country as Wall Street and the railroads." Dogs, man's best friend.

And that's just the way it is.

#### PROVIDING FOR CONSIDERATION OF H.R. 1433, DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 260 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 260

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1433) to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour and twenty minutes of debate, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommend with or without instructions.

SEC. 2. During consideration of H.R. 1433 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The SPEAKER pro tempore (Mr. CAPUANO). The gentleman from New York (Mr. ARCURI) is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

Mr. Speaker, I yield myself such time as I may consume.

(Mr. ARCURI asked and was given permission to revise and extend his remarks.)

Mr. ARCURI. Mr. Speaker, House Resolution 260 provides for consideration of H.R. 1433, the District of Columbia House Voting Rights Act of 2007, under a closed rule. The rule provides 1 hour and 20 minutes of general debate, with 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and 20 minutes equally divided and controlled by the chairman and the ranking minority member of the Committee on Oversight and Government Reform.

The rule waives all points of order against consideration of the bill except those arising under clauses 9 and 10 of rule XXI. The rule provides that the amendment printed in the report shall be considered as adopted, and the bill, as amended, shall be considered as read. The rule waives all points of order against the bill.

Mr. Speaker, this Nation was built upon the principle that it was patently unjust to require people to pay taxes to a government within which they had no direct involvement, what came to be familiarly called "taxation without representation." The fact that approximately 600,000 U.S. citizens live under taxation without representation within the United States today is repugnant to our very notion of democracy and to those who fought and died in creating this great Nation. How can the United States deny democracy in its capital while it promotes democracy abroad?

These citizens pay billions of dollars in Federal taxes and have sacrificed their lives in Iraq and every other war since the American Revolution. This is taxation without representation at its worst, and it is completely undemocratic. No other democracy in the world denies to its citizens in its capital city the right to vote. We here in America, the symbol of democracy to so much of the world, must not deny that right to our citizens.

This bipartisan legislation would correct this injustice by granting the citizens of our Nation's capital with a voting representative in the House of Representatives.

Some of my colleagues have suggested that this legislation is unconstitutional, that we in Congress will be acting outside our power in enacting this bill. To this, I must respectfully and strongly disagree. Article I, section 8 of the Constitution clearly enumerates the powers of Congress. Among the powers listed in Article I, section 8 states that Congress shall have the power "to exercise exclusive legislation in all cases whatsoever over" the District of Columbia. Article I, section 8 also gives Congress the power "to make all laws which shall be necessary and proper" to execute its enumerated powers.

Further, in 1790, Congress passed the Residence Act, giving residents of the new District of Columbia the right to vote. Since the capital was still being established, citizens were allowed to continue voting in their States, Mary-

land and Virginia. Congress then took this right away by statute in 1800 when the Federal Government assumed control of the District of Columbia. In the political battles that followed, District residents were denied a vote in Congress. Certainly, if Congress can remove the right by statute, so too can it reinstate that right by statute.

In the landmark Supreme Court case *McCulloch v. Maryland*, Chief Justice John Marshall said: "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional."

Extending full representation in the House to residents of the District of Columbia is a legitimate end. It is within the scope of Congress' power to exercise exclusive legislation in matters concerning the District of Columbia and consistent with not only the letter of the Constitution but also the spirit in which the Constitution was written by our Founding Fathers, that is, "taxation without representation is tyranny."

I, for one, want to correct this grave injustice and provide the citizens of Washington, D.C. with the same rights afforded to every other citizen in this great Nation. Our actions today will do just that.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to this closed rule and to the blatantly unconstitutional measure that the Democrat majority is bringing to the House floor today.

There is not much to celebrate in this deeply flawed legislation that constitutional scholar and law professor Jonathan Turley has called "the most premeditated, unconstitutional act by Congress in decades."

□ 1030

But I am an optimist, and I have found a very small silver lining in what I think is a cynical political exercise that is designated for President Bush's veto pen, that is, if it ever makes it that far.

Today, the American taxpayer can be grateful that at least this week that the Democrat majority has trained its sights on simply trampling on the Constitution rather than propping up the fledgling ranks of big union bosses for the fourth week in a row. While this may not seem like much, it seems to be the best that the Democrat majority is willing to do at this time.

My opposition to this measure stems from its incompatibility with a pretty basic foundation of American Government, the Constitution. Section 2 of Article I clearly states that "the House of Representatives shall be composed of Members chosen every second year by the People of the several States."

The way I see it, any fourth-grader in the country can tell you that D.C. is simply not a State.

Supporters of this legislation will claim that the "District Clause," which gives Congress the power to legislate over our Nation's government seat, also gives Congress the power to grant D.C. a Member of Congress. But this same clause makes it clear that by its very nature, D.C. is not a State, which brings us back to the original problem of this bill being completely unconstitutional.

But do not take my word for it. If the Democrat leadership will not listen to reason, one would hope that at least they would listen to one of our Founding Fathers, Alexander Hamilton, who offered an amendment to the Constitution that would have provided D.C. with a vote in the House. Unfortunately, that amendment was defeated on July 22, 1788.

But if neither my word nor the Constitution nor the actions of our Founding Fathers is good enough, I wonder if the Democrat majority would be willing to listen to an equal branch of our government for their opinion on this matter.

In 2000, the Federal district court in Washington, D.C., concluded that "the Constitution does not contemplate that the District may serve as a State for the purposes of apportionment of Congressional representatives." It seems pretty clear to me, but perhaps not every Member of this body.

So, for a moment, let us ignore my word, the Constitution, the actions of our Founding Fathers, and the decisions of the Federal judiciary.

What would it mean if Congress simply gave D.C. a seat in the House? Rather than going through the necessary process of passing a constitutional amendment, which, by the way, was attempted in 1978 and failed, it would create a precedent that said Congress would give the District three votes next year, or they could give them 10. It would mean that if Congress did not like the way the new Member from D.C. was voting, it could simply take the seat away, because if Congress has the power to create a seat, it certainly has the power to take that seat away, which it cannot do under the Constitution, the same Constitution that gives States those rights.

It would mean that Congress could deny D.C. voters the protection from, let us say, racial discrimination, given by the 15th amendment to the Constitution, or deny them protection from discrimination based on sex given to them in the 19th amendment. Is this the kind of precedent that we should be setting?

But rather than discuss the facts or logic of this approach, I suspect that the supporters of this legislation will come to the floor and simply talk about fairness. But I fail to see how it is fair that this would give every voter in Utah an unprecedented two votes,

one for their Member of Congress and one for a new at-large Member, while keeping the one man, one vote principle in every other State.

Perhaps a Member on the Democrat side would be kind enough to come down to the floor and explain this logic to me, but I am sure I will not hold my breath.

Mr. Speaker, as Members of Congress, we take an oath to uphold and support the Constitution, not to trample on it. Personally, I think this is a fairly low bar that has been established. So last night in the Rules Committee, Congressman MCHENRY and I offered a commonsense amendment to have this new Member from D.C. act to preserve the individual right to keep and bear arms of the residents of the District of Columbia as also provided in the second amendment to the Constitution and upheld on March 9, 2007, by the U.S. Court of Appeals for the D.C. Circuit.

No matter what the supporters of this bill may claim to the contrary, the Constitution is not a cafeteria. You simply cannot pick and choose which part you are going to respect and which part you are going to ignore.

That is why our Framers, in their infinite wisdom, created an orderly, lawful process for amending the Constitution, if you so choose. So despite the fact that this underlying bill is designated for history's trash can, I am attempting to improve it slightly by forcing this entire body to recognize that the rights given in the whole Constitution, not just certain parts, should be recognized by anyone who claims to uphold and defend our government's founding document.

Unfortunately, this amendment was defeated on a party-line vote in the Rules Committee, which is fast becoming the graveyard of good ideas in the U.S. House of Representatives.

Mr. Speaker, I urge all of my colleagues to reject this rule and the underlying assault on the Constitution.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I respectfully disagree with my friend and colleague from Texas. I think he is trying to characterize this bill as an attempt to create statehood for the District of Columbia, which is not what this bill does. This bill attempts to do what the Constitution says that Congress can do, and that is, exercise exclusive legislation in all cases whatsoever over the District. That is what we are doing here, and there is precedent to that.

In 1949 in the Tidewater case, the Supreme Court upheld a decision which allowed Congress to give diversity jurisdiction to the District of Columbia, and now, generally, diversity jurisdiction only can occur between States, and despite the fact that clearly the District of Columbia was not a State, they were able, through an enactment by Congress, to be given that status of diversity jurisdiction.

The District of Columbia is not a State. It is not being treated as a State, but rather as a district for the capital, for the Federal capital. So it does have a special and unique treatment, and I think the Founding Fathers realized that it would be different, that it would not be like a State, and, in fact, it was part of the history why they came and created a capital.

When they were in Philadelphia, they were not happy with the fact that they had to constantly appeal to the Pennsylvania Legislature for the right to do different things, so they intended to create a capital that they would be able to have jurisdiction over.

That was the historical reason why the District of Columbia was created. So the fact that Congress then gave itself, or the Constitution gave Congress the right to make laws and make rules for the District of Columbia is the reason why today we are introducing this bill.

So I believe that we are not attempting to give D.C. statehood, but, rather, to give it a right to vote in this body, which is exclusively within the jurisdiction of Congress and within the right of Congress to do.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the ranking member of the Committee on the Judiciary.

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, I am concerned that this bill was unconstitutional for the reasons stated by my friend from Texas (Mr. SESSIONS), but I am afraid that the way this bill treats the at-large seat in Utah makes it even more unconstitutional.

Not since the Supreme Court issued its string of one person, one vote decisions in the 1960s has Congress seen fit to amend the law to allow both at-large and district elections for Members of the House of Representatives. This bill does that and, in effect, gives the citizens of Utah the right to vote for two Representatives, one in the district and one at-large, which is something that is denied to every other citizen of the United States.

Even if this is not a violation of equal protection under the law, I think that it is extremely bad policy because it is in derogation from what those of us who have fought to enact and reenact the Voting Rights Act have attempted to do, and the Supreme Court has said on numerous occasions that at-large elections are in derogation of giving minorities effective representation not just in Congress, but for local legislative bodies like city councils and county commissions.

I fear that if this act is held constitutional with an at-large seat in Utah, that precedent will be used in jurisdic-

tions covered by the Voting Rights Act to once again go back to at-large elections and to diminish the votes that minorities have enjoyed ever since the 1982 reauthorization of the Voting Rights Act.

Finally, having an at-large seat in Utah is going to make it probably more difficult to uphold this law, and the reason I say that is that if this law is held unconstitutional with four Members from Utah being elected by district, effectively a quarter of the people of Utah will be disenfranchised since the bill has a nonseverability clause, and thus, if D.C. brings the bill down, one-quarter of the people of Utah will have no representative in Congress. That would be a powerful argument to uphold the constitutionality of this bill, and one that cannot be avoided.

Unfortunately, the majority on the Rules Committee decided to play partisan politics. They are jeopardizing the litigation of this legislation. I would hope that they would think twice, and they would vote this rule down.

I was prepared to support this legislation both in this Congress and the last Congress if Utah had four Representatives elected by districts. What you have done here, you have lost me. There is still time to correct this, and I would hope that the rule would be rejected.

#### GENERAL LEAVE

Mr. ARCURI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ARCURI. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP), a former member of the Rules Committee.

Mr. BISHOP of Utah. Mr. Speaker, I thank the gentleman from Texas for yielding.

I come here with a sense of disappointment, but, admittedly, not surprise. Last night in the Rules Committee, I had the opportunity of listening to a brilliant amendment that I thought was brilliantly presented. I did it, so it was brilliant. Unfortunately, that amendment, which was a new issue to this debate that has not been discussed in other venues or has not been discussed in another committee, is a technical amendment that was designed neither to inhibit nor to promote the passage of the underlying bill.

If Utah becomes part of this bill and it is passed, we would be required in some way, shape and form to have a special election, which would cost the State of Utah about \$7 million and require the legislature to come into special session to create new rules for a

special election, as well as to appropriate money that does not now exist for that.

We all know there will be lawsuits on this bill, and it will take time for those lawsuits to work the court. My amendment, a technical amendment, was simply to say let us start the process of the election in the 2008 election cycle, which would simply say there would be no extra cost to an entity for performance. There would be regular process, and that would give plenty of time for the lawsuits to have their way work through the courts. It seems ridiculous for the State of Utah to have to spend \$7 million on a special election that may then be invalidated by a court action later on.

I have to admit that in some respects I feel frustrated the way the State of Utah has been treated in this entire process, forced to have a special session to draw a map, a map in which the criteria was for incumbent protection, never before done, and now forced to spend money on a special election, when an alternate is completely there.

□ 1045

Not to allow that to even be discussed on the floor does not help the body politic that is here.

I also notice that my friend from Georgia has come down here. Mr. WESTMORELAND had an amendment that was discussed in the committee and passed in the committee. Yet this Rules Committee has stripped his amendment and offered a closed rule, so they deny him the opportunity to even discuss the amendment that has already been passed.

Time after time in the last few years I sat where the gentleman from Texas sat and was denigrated by people who said we denied amendments that had failed in committee and were therefore stopping the democratic process. Here we have an example of someone who passed an amendment in committee that has now been stripped out and is no longer being allowed to discuss it on a bill that is purported to be expanding the concept of democracy in the first place.

I realize that when we talk about process, that is extremely boring to the American people. It's boring to us. Actually, most of what we say on this floor is boring to almost all of us.

But the real inconvenient truth is that poor process equates to poor policy. We will see another rule that comes out here today as well that would clearly illustrate how poor process, in an unprecedented fashion, would clearly result in poor policy.

When I was a young legislator, I one time was somewhat of a rebel, I redeemed myself and eventually became speaker, but in my second session I had a position that was at odds with my own leadership and was numerically outnumbered. But they allowed the process in Utah to work so I stayed at the table, and eventually we designed and came up with a product that was

actually before for all of us. That is what we should be doing here today.

Somehow I heard, over the past 10 years, how the Rules Committee, when a different party was in charge, is where democracy goes to die. Unfortunately, this day the Rules Committee is once again where democracy goes to die. Mr. WESTMORELAND, who will be speaking in a few minutes, is living proof of how that happens.

Mr. ARCURI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, if I could inquire upon the time that remains on both sides.

The SPEAKER pro tempore. The gentleman has 16½ minutes remaining. The gentleman from New York has 23½ minutes remaining.

Mr. SESSIONS. If I could inquire from the gentleman from New York if he has any additional speakers, with the understanding that he has the right to close.

Mr. ARCURI. Yes, sir, we have two additional speakers.

Mr. SESSIONS. You do anticipate two additional speakers?

Mr. ARCURI. Yes, sir.

Mr. SESSIONS. Mr. Speaker, I yield to the gentleman to run down his time.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I would just like to point out, in listening to the debate, that when one looks at some of the decisions from the Supreme Court with respect to the steps that Congress, the powers of Congress, you can't help but think of *Marbury v. Madison*, which is one of the first great cases considered by Justice Marshall in the early Supreme Court.

In that case, the Supreme Court basically outlined what was the framework for the separation of power between the different branches of government. Basically, it set forth to Congress that it could not dictate to the Supreme Court or to the justice branch of government what the jurisdictions of or what their jurisdiction was.

Basically, what that decision came to recognize is the fact that within the particular branches of government, each branch has exclusive power and that only the Constitution can set jurisdiction.

Clearly, that is what we are doing here today. The Constitution makes it very clear that Congress has exclusive legislative right over the District. That is exactly what we are attempting to do today. We are attempting to give the District of Columbia the right to vote, as we are entitled to do, as the Constitution clearly enumerates that Congress has the right to do.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank my friend from Texas for yielding.

Mr. Speaker, the gentleman from New York was making a great argument for the bill itself, but we are talking about the rule. We are talking about the ability of every Member of this body to be able to amend the bill. We go through a committee process here, well, I shouldn't say all the time, because in the 110th Congress, it has been very rare that we have gone through a regular order. But in this particular case we did go through a regular order as far as the bill going to Government Reform.

I had an amendment. The amendment was pretty simple. It said, notwithstanding the fact that the District of Columbia would get a vote on the floor of this body, but that the intention, and the end result, was for them not to have representation in the United States Senate.

Now, that was fairly simple. In fact, I believe it passed Government Reform unanimously. My 700,000 people that I represent in Georgia had an opportunity to amend this bill.

But because of the closed rule that we have today, an amendment that was passed, agreed to by both sides, put in the bill in Government Reform, has come to the floor without it.

You know, this was hyped up to be the most ethical Congress. I haven't seen any proof of that. It has been hyped up to be the most open Congress where all Members would have an opportunity to participate. We certainly haven't seen that.

This is government almost by gradualism. We are gradually getting to where the leadership of the majority party wants to go. I believe that is to give D.C. the ability to have Members of Congress.

Now, this little book right here, the gentleman from New York was quoting parts of the Constitution, but he didn't quote all of it. Because in here I think it lays out very plainly who is to vote on the floor of this House and who is to have representation in this House, and who is to have representation in the United States Senate.

I think this is the first step. I think my amendment made it clear that the intention of this bill was not to gradually give them the ability to have seats in the Senate. But because it made it so clear and described so clearly the legislative intent of this body, they won't allow it to be in the bill, because their intention is to go further.

I would hope that one day we would. I hear people's lips, I hear things coming out of people's mouths. I see lips moving, talking about bipartisanship: we are going to be bipartisan; we are going to let everybody participate.

I haven't seen that in action. Let me say this, I don't think anybody has ever written a perfect bill, a bill that couldn't be adapted or expanded or explained a little bit better, a bill that couldn't be made better, a bill that couldn't be perfected.

In fact, if you read the rules of this House, it talks about amendments and

perfection and perfecting the amendment, perfecting the bill. That is all we want an opportunity to do. I think everybody in this body, all 435 of us, I think the people that we represent, all they want us to have is an opportunity to try to help perfect the bill or make it better.

So far, we have been shut out of that process. I think it is a shame. As my friend, Mr. BISHOP, said, a lot of people don't pay any attention to the process up here. But when the process is broken, the product is flawed.

I think the closed rule on this important bill is an example that this is a very broken process.

Mr. ARCURI. I thank the gentleman from Georgia for his remarks. He talks about bipartisanship. Frankly, I can't think of an issue that is more bipartisan than giving each and every American the right to vote. That is exactly what we are attempting to do here today.

You know, I can't help but think as a new Member of Congress that when we came down back in January to be sworn in, and my daughter and my family were here, one of the first things that my daughter said to me was noticing on a license plate "taxation without representation." She asked me what that meant and why they were talking about that because she remembered studying about it in school.

It is critical. It is so important to us as a Nation to practice what we preach. We are in other places in the world. We are fighting wars for freedom, and we talk about how important it is to give people the right to vote and to be free, and that is exactly what we are doing here today.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, if I could please inquire upon the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 12½ minutes, and the gentleman from New York has 21 minutes remaining.

Mr. SESSIONS. Mr. Speaker, if I could, I would like to try to get us back to a balance if we could. I would encourage the gentleman to run his time down.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. We anticipate having our Speaker, and we continue to reserve the balance of our time.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman, the ranking member of the Rules Committee from San Dimas, California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I want to express appreciation to my very good friend from Dallas and my new friend from New York for their management of this rule.

Mr. Speaker, I want to say that to me it is very clear. Mr. SESSIONS' very

able assistant just gave me a copy of the Constitution. Article 1, section 2 says: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States."

Until we change the Constitution and make the District of Columbia a State or include it as a State or as a part of Maryland, it seems to me that this is unconstitutional.

I mean, I am not a constitutional expert, but I know that Mr. SENSENBRENNER stood here. We had a wide range of other people who have been arguing. I listened this morning to that great constitutional scholar Jonathan Turley from George Washington University on National Public Radio. He was talking about this exact line that I just read, arguing that it is unconstitutional.

I don't exactly understand why it is we are here. But there is something that hasn't been discussed at all in this debate, and that is how are we going to pay for this thing. We do know that we have got this structure that is put into place, PAYGO, as it's called.

Well, there was mandatory spending in this to establish a new Member of Congress; and under PAYGO, the rules that are adopted, the costs clearly have to be offset. The offset that is self-executed into this bill, by the rule, raises the requirement for income tax withholding by three one-thousandths of a percent. It's a pretty tiny one. But it has the potential for some real problems. Think about the self-employed computer programmer who earns \$80,000 a year.

This computer programmer would have to calculate their estimated tax themselves and make quarterly payments to the government. If that computer operator misses that new three one-thousandths of 1 percent increase in withholding and underwithholds by as little as 6 cents per month, that person is subject to the Internal Revenue Service prosecuting them and seeking interest and penalties as if they were trying to evade paying their income taxes.

Basically, I concluded that if the government is going to require that they are going to take money that they say you could potentially get back from this, it is a tax increase, because if the government holds money that is mine, no matter how small it is, and I am not getting interest on that money, that, to me, is a tax increase. That is exactly what we are going to be doing when any Member votes to pass this rule that allows us to proceed in this matter.

I don't understand why it is that we are here. It is, to me, a very, very unfortunate thing. We now see how the Democrats intend to close the so-called tax gap, and it's on the backs of the average taxpayer in this country, and it is just plain wrong.

I urge a "no" vote on this rule. If, by chance, we pass this rule, which, from my perspective, self-executes a tax in-

crease on the average hard-working taxpayer in this country, I urge a "no" vote on the bill itself.

One of the most ridiculous aspects of this rule is the mechanism used to pay for the mandatory spending in this bill.

The bill provides for a new Member of Congress, and as a constitutional officer, that Member's salary is a mandatory expense.

Under the PAYGO rules adopted by the House, those costs must be offset.

The offset self-executed into the bill by the rule raises the requirement for income tax withholding by three one-thousandths of a percent.

What does that mean to the average taxpayer? Well, for a married couple who both happen to be firefighters earning \$80,000 a year, their interest-free loan to the government just went up by about \$1.60. That's right, \$1.60. But they do have to send approximately 13 cents per month more to the government to pay for a new congressional seat.

That's not the worst part, though. Take the self-employed computer programmer who earns \$80,000 per year. She has to calculate her estimated tax herself and make quarterly payments to the government.

If she misses that new .003 percent increase in withholding, and underwithholds by as little as 6 cents per month she is subject to the IRS prosecuting her and seeking interest and penalties as if she were trying to evade paying her taxes.

Mr. Speaker, we now see how the Democrats intend to close the so-called "tax gap"—on the backs of average taxpayers, all to pay another Member of Congress.

□ 1100

Mr. ARCURI. I thank the gentleman from California, my colleague from the Rules Committee. And he points out that, yes, I think a legitimate question, how are we going to pay for this? I can't help but think that when it comes to giving people freedom and the right to vote, we must find a way to pay for it. In fact, we have spent \$400 billion attempting to give the people in Iraq freedom and the right to vote. And if we can spend \$400 billion in Iraq, then we can spend some money here to give the 600,000 people here in the District of Columbia the right to vote.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. ARCURI. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding. I would simply argue, based on the point that has been made by that great expert Mr. Turley, we need to look at amending the U.S. Constitution before we go down that road. And we also have to look at how it is we are going to pay for this. Are we going to pay for it by basically imposing a tax on the average taxpaying citizen of this country by withholding dollars of theirs? I just think it is plain wrong.

Mr. TOM DAVIS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ARCURI. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Let me just ask my friend from California, what about the constitutional expert



Ken Starr who has testified under oath that this is constitutional; or Viet Dinh, who was a chief counsel in the Justice Department under President Bush; and John Ashcroft, who wrote the PATRIOT Act and has written an opinion that this is constitutional? Aren't their views worth consideration as well?

Mr. DREIER. Would the gentleman yield so I can respond to my friend?

Mr. ARCURI. I yield to the gentleman from California.

Mr. DREIER. Absolutely. And I will tell you that when the distinguished chairman of the Judiciary Committee last night began his testimony before the Rules Committee, he quoted both Kenneth Starr, and frankly I will say that it was with a great deal of pain and it was precedent-setting that our distinguished Judiciary Committee chairman Mr. CONYERS and he said this, quoted for the first time, and I suspect maybe the last, Kenneth Starr, and he went on to refer to the fact that Viet Dinh had clearly concluded this.

There are conflicting views as to the constitutionality of this. I recognize that. And, in fact, Mr. SENSENBRENNER, when he was addressing the Rules Committee last night, said that he believed that this was a 50/50 call.

I think that there are a lot of different opinions on it. Jonathan Turley is one that has spent a great deal of time looking at this, and I just happen to think that he is right. And the way I read the Constitution, that is the way I see it.

Mr. ARCURI. I would just like to point out that the gentleman from California says that he is not clearly not an expert on the Constitution, but I think he has a much better understanding of the Constitution than he admits.

You sound like you are strictly attempting to interpret the Constitution, a strict constructionist. And that being the case, I think it is clear, a close reading of the Constitution gives Congress under Article I, section 8 exclusive legislation over all aspects of the District. So I think that it is clear in a strict reading of the Constitution that Congress has this ability.

Mr. DREIER. If the gentleman would yield to me for a moment. I thank my friend for yielding, and I really do appreciate him, and he is my new friend on the Rules Committee.

Mr. Speaker, I would simply say that it is Article I, section 2, to which I point where it refers to the fact that this body, according to the Constitution, is to become comprised of Members elected from the several States. And that is why I argue that if, in fact, we are going to do this, we should look at a way in which the District of Columbia becomes a State so that it can, in fact, comply with the Constitution.

Mr. ARCURI. I just would point out what I stated earlier. In the Tidewater case, the Supreme Court upheld the ability of Congress to designate the District of Columbia, for purposes of

diversity jurisdiction, as a special creature, as not a State, but standing in certain respects in the same way that a State does. I think it is clearly within the power of Congress to do this, and I yield.

Mr. DREIER. Again, this description of the District of Columbia as a special entity is absolutely right. That is what the Framers of our Constitution wanted to do in establishing the District of Columbia to ensure that it is not a State. That is the uniqueness of the District of Columbia. And I am arguing that if, in fact, we need to make this change so that it complies with Article I, section 2, it seems to me there needs to be a modification to the Constitution.

Mr. ARCURI. Reclaiming my time. And I think I just have to answer that by saying if you look at historically why Congress actually created the District, it was so that it would have jurisdiction over the area which it sat, not for the reason that you indicate.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 3 minutes to the distinguished gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to oppose the rule, and as well as I am in opposition of the underlying bill that we are considering today, and I do so because I am a strict constructionist. I am a believer and I am a defender of the Constitution. In fact, when I came to Congress, like all of us did, I took an oath to uphold the Constitution, and I intend to do so. And I believe that what the House is considering passing today in this legislation is simply unconstitutional.

Let me just say, I am not against the citizens of the District of Columbia having the right to vote for a Member of the House of Representatives. In fact, before I came to Congress, I had the privilege and pleasure to serve as the Michigan secretary of state for 8 years, and that is the chief elections officer in my State, and a principal advocacy of mine then as it is now was registering as many citizens who were eligible to vote, and then trying to get as many who were registered to actually participate in the elections process.

However, under the Constitution of the United States, it explicitly declares that representation in Congress can only be granted to States. Article I, section 2 states clearly that: Representatives shall be apportioned among several States.

Interestingly enough, even the District of Columbia recently argued that it was not a State and shouldn't be treated like one. And I am referring to the recent District Court of Appeals case about the long-time D.C. gun ban when the District argued that the second amendment did not apply to them because they are not a State. And I am not sure if the District actually be-

lieves that other parts of the Constitution don't apply to them for the same reasons. For instance, they might think that the first amendment doesn't apply to them. I am not sure.

But, Mr. Speaker, the Constitution applies to every American wherever you live, the first amendment, the second amendment, and the section that precludes the District from having a vote in this Chamber.

And if we are going to sacrifice the Constitution on the altar of politics, why are we stopping with just giving D.C. a vote in the House? Why not give them two Senators like every other State has? How about a Governor? A statehouse? A State senate as well as all the other constitutional officers that other States have, like the attorney general or secretary of state or whatever?

Also, by trying to buy a few votes by saying that we will expand the membership of this Chamber by giving D.C. one Member and Utah one Member so that we will hopefully have one Democratic vote or one Republican vote; since we are being completely political and arbitrary, how about just one vote for the District, and then give whatever Member has the most Republican district in the Nation, give them two votes?

Mr. Speaker, I cannot vote for a bill that clearly violates the Constitution. It will never be upheld by the courts. The District should either go back to being a part of the State of Maryland, as they were at our Nation's founding, or we should amend the Constitution. Asking Members to vote to violate our Nation's Constitution, I believe, is absolutely the wrong approach. I would urge a "no" vote on this rule and a "no" vote on the underlying bill.

Mr. ARCURI. Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore. The gentleman from New York has 16 minutes, and the gentleman from Texas has 6 minutes.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia, Mr. DAVIS.

Mr. TOM DAVIS of Virginia. Let me just say, a strict reading of the Constitution, if you look just at its face, if you read that, D.C. residents wouldn't have a right to a jury trial because that is only to residents of States. D.C. residents would have no right to sue non-D.C. residents in Federal courts under diversity jurisdiction, which is reserved to residents of States. The full faith and credit clause wouldn't apply to D.C. under the Constitution, because that only applies to States. But Congress, under the District clause, has allowed the District to be treated as a State for those purposes.

The previous speaker says, well, if they can do this, why can't they be treated as a State for other purposes? The city argued under the gun ban that they weren't a State because Congress hadn't specifically said they were a



State, but the District clause is all-inclusive and gives Congress the power to determine what the rights are. We have that right. It is not an inherent right to vote in the House of Representatives, but we have that right under the District clause.

The difference between the House and the Senate in the constitutional reading is the Senate represents States. Individuals represent States, and each State gets two Senators. And the District of Columbia is clearly not a State. But the House of Representatives is of the people among the several States, a different wording. In fact, at the time the Constitution was created, the people in the District were among the several States, and, in fact, the residents of what are now the District voted for Congress the first 12 years of the Republic.

But this is not a right that goes to the District of Columbia. This is a right that goes to the people of the District of Columbia, and Congress has the right to determine whether they have it or not. This was taken up in 1800 when the anti-Federalists won the Presidency by one electoral vote, if you remember, and in a lame duck session this was debated, and, as usually happens, they punted it to the succeeding Congresses.

I think the constitutionality of this thing is very, very clear that, under the District clause, we have the ability in Congress to determine if they get a vote in the House or not. And I just want to set the record straight on that. All of these other rights, jury trial, right to sue, full faith and credit, even the Federal Government would not be allowed to impose Federal taxes in the District under a strict reading of the Constitution. But under law and under the District clause, we have expanded it to the District. I just think the record should reflect that.

Mr. SESSIONS. Mr. Speaker, at this time I would like to inquire of the gentleman from New York if, due to the imbalance of time, if he would like to perhaps have some more of his speakers. If so, I would reserve the balance of my time if he chose to go that direction.

Mr. ARCURI. Yes, Mr. Speaker. I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding, Mr. Speaker. And I really had not intended to come forward since I will be managing in a few minutes but I must say that I have been virtually driven to the floor by the abstractions of the discussion. I want to thank the gentleman from Virginia.

Would the gentleman from Virginia engage in a colloquy with me?

I will have more to say about the specific legal and constitutional issues, but I do want to say something to those who are such literalists that they would deny us of the right to vote citing the Framers and the Constitution. Is it not true that the State of Virginia

and perhaps as many as half the Colonies were not States, but Commonwealths? And is "Commonwealth" mentioned anywhere in the Constitution?

Mr. TOM DAVIS of Virginia. That is correct in the case of Virginia, if the gentlelady would allow me.

Ms. NORTON. I yield to the gentleman.

Mr. TOM DAVIS of Virginia. The District of Columbia portion that came from Virginia went back to Virginia in 1846. And I think it is important for Members to understand the reason for the Virginia section of the District petitioned to go back to Virginia was because they were afraid that Congress was going to enact a ban on slaveholding in the District.

Ms. NORTON. I thank the gentleman. And the gentleman has clarified something further concerning the right to vote in the people's House.

The reason I come is not, frankly, to engage early in the discussion we will be having on the bill itself; but because the discussion has been such an abstraction. I have come because that discussion has been as if the Framers set up a place, not a city with real people. It is as if you can discuss these rights without referring to whom these rights would belong.

Members have come to the floor with the hubris to believe that the Framers intended their constituents to have full rights under the Constitution, but not my constituents because we happen to live in the Capital of the United States created by the Framers.

I do want to let you know who you are talking about so that this discussion will not be all about constitutional and legal abstractions that can only be settled by the courts of the United States. You are talking about Kathryn Ray, who lives here and is a mom and a librarian and a PTA president. You are talking about Larry Chapman, who is a D.C. firefighter, putting his life on the line for emergency response here and throughout the city. You are talking about Liz Allen, an attorney who has had her first child and has decided to raise this son here in the District of Columbia even though her family is denied a vote.

□ 1115

You are talking about Wade Henderson, like me a native Washingtonian, president of the Leadership Conference on Civil Rights, who has fought every day for civil rights around the world but has never had a vote in Congress. Like me, he is an African American who grew up in this city when it was a segregated city. Like me, he understood that the composition of this city then and for centuries has had much to do with the denial of voting rights in this city. And so, like me, he has argued in these Halls that all citizens of the District of Columbia, of every background, finally have the rights that all other Americans now take for granted.

This bill is about Evelyn Curtis, a nurse at one of our hospitals, who would love to have a say on health care issues. She can talk to me, but I can't talk to you about what she believes by voting.

This bill is ultimately about 650,000 American citizens. When you are asked to vote on this bill in the middle of a war, when our citizens are among the troops on the ground in Iraq and Afghanistan, remember that you will be voting not for my vote but for the votes of the people who live in the District of Columbia and especially for the votes of those Washingtonians who as I speak are serving in Iraq, Afghanistan and throughout the world in service to the United States of America.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 2 minutes to the distinguished gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Texas for yielding and to have an opportunity to address this issue.

Mr. Speaker, I rise in opposition to the rule and the underlying bill. The first premise is that we all stand here on the floor of this Congress and take an oath to uphold the Constitution. Even the strongest advocates for this bill before the hearing in the Judiciary Committee testified that if we believe that a bill is unconstitutional before us, we are obligated to uphold our oath and vote "no" regardless of how much we might support the underlying policy. That is the stand that I take on this issue, Mr. Speaker.

I would declare this to be the first round, one step along the way in the D.C. statehood bill. But the discussion that has been here on the floor and the exchange and the colloquy with Mr. DREIER on Article I, section 2, article I, section 3 and then the reference was brought up also of article I, section 8, to address those, it works just like this: Article I, section 2 reads: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States."

Now, if D.C. is not a State, we can't have Members that come from places that are not States. It's a pretty simple analysis here. Read the Constitution. It also says in the bill that this doesn't include Senators. That was an amendment that was offered by the gentleman from Georgia (Mr. WESTMORELAND). Statutory provisions aren't constitutional restraints. By the same rationale, and I mean exactly the same rationale that you can come to a conclusion that there could be a Member in this Congress that votes in full representation for D.C., you have to also conclude that there is a constitutional provision for two Senators as well, because I will argue that Article I, section 3, after the 17th amendment is applied to it reads this way: "The Senate of the United States shall be composed of two Senators from each State elected by the people thereof." So the only

distinction between a District Representative, a Member in the House, and two Senators is the phrase "by the people of the several States" as applied to the Member and "elected by the people thereof" as applied to the Senators.

This is imperative and compelling. So if you accept a Member here constitutionally, you also accept two Senators here by the same constitutional rationale.

Mr. ARCURI. Mr. Speaker, I would agree with the gentleman that if something is unconstitutional, certainly I would not support it, but I believe that this bill is constitutional, and I believe again Article I, section 8 makes it constitutional for Congress to pass this legislation.

Mr. Speaker, I now yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Let me first of all add my appreciation to Congressman TOM DAVIS; maybe the constitutional teachers at the University of Virginia law school are owed a debt of gratitude as well; and, of course, the gentlelady who has persisted throughout her, I think, legal and legislative career, the Honorable Congresswoman ELEANOR HOLMES NORTON.

This is a historic moment and an historic day. I think the crucial-ness of this debate should not be lost on the American people. I rise to support this rule, this structured rule, that allows an amendment by Mr. WAXMAN and Mr. CONYERS, and I would like to give comfort to those on the other side of the aisle to read their Constitution and explore even some of the Supreme Court cases that document that the District of Columbia under Supreme Court law has been held as a State in certain purposes.

Now, what is lost in this debate is that this is not a singular legislative act that excludes a balance. Out of this provision comes a seat for the State of Utah, which has requested a seat for many, many years. Just recently, we added a seat for North Carolina so that citizens of the United States could vote. So it is being defined by my opponents on the other side, this rule that it is unconstitutional because they are not giving you the whole story. This, because of population concerns, adds a seat to Utah. But, more importantly, this is a constitutional approach. They are right. Article I, section 2 indicates that the House of Representatives shall be composed of Members from every State. But then there is an enunciation of the powers of Congress that goes under section 8, clause 17, that "the Congress has the power to exercise exclusive legislation in all cases whatsoever over such district that has been established as the capital of the United States." The Congress has all power.

Now, let me say this. We are not all powerful. We represent the people of the United States. But would you ask

the question as we are debating soon the crisis in Iraq, where the policies of this Nation have been to export democracy, create an opportunity for those citizens of Iraq to vest in their country, to vote for their leadership, does it make any sense for individuals paying taxes, who are on the front lines of Iraq, Afghanistan, World War I, World War II, the Vietnam War, the Korean conflict, and any conflict around the world, to be denied the right to vote if the Constitution gives us the authority to do so?

I commend the Constitution to my colleagues. I might say that we welcome the distinguished gentleman from Iowa's amendment to work with Congresswoman ELEANOR HOLMES NORTON to get Senate provisions, if he desires to do so. It seems like he was concerned that the other body was not represented. But when we debate this question as we will soon, let us have the facts. You cannot quote one part, as one would say in the church, of the Bible and exclude the other part. You can't quote one part of the Constitution and ignore the powers of this Congress that has a right to exercise authority over the District of Columbia.

I think the other question that should be asked and answered, who will it harm? Who will be hurt by recognizing the voting rights of people that are here in the United States paying taxes and shedding their blood? Who would argue against the place that thousands and millions of Americans come as their capital that they love, and they leave behind those who care for and take care of this capital, the residents of the District of Columbia, and they leave them with no right to vote.

So I believe that this rule is the right rule. I have disagreed with rules, both Republican and, frankly, Democratic rules. Later today I will disagree with the rule that will be put forward. But frankly I think this rule that is structured makes a great deal of difference and it is important that we make sure that we abide by this book and we read it consistently with its language and that is to say that Congress has the power to move forward.

I would ask my colleagues to be reminded that there are citizens in this country that cannot vote, and I hope that you will view the work of the Congress as it is constitutional and right to give those citizens the right to vote, for they too are Americans.

I ask my colleagues to support the rule.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 2 minutes to the distinguished gentleman from Virginia, Mr. DAVIS.

Mr. TOM DAVIS of Virginia. I thank my friend for yielding.

We have Republicans quoting liberal professors and Democrats quoting conservative professors in support of where they are. At the end of the day I believe that if the District were a Republican enclave, our side would be

getting up screaming for voting rights and the other side would be saying, no, the Constitution is strict. We are trying to take the politics out of this.

In the last Congress, both committees with jurisdiction under Republican chairmen cleared this bill for the floor and the Republican leadership denied it an opportunity to come to the floor. We could have had a full and open debate at that point. I think it would have been helpful to the process. Now the Democrats are in control and they are bringing this up, not for a full and open debate, unfortunately, but under a closed rule. We should have an open rule on this. At the time when we are spending billions of dollars and sacrificing thousands of lives to bring democracy to Baghdad, to Afghanistan and around the world, shouldn't we look right next door to our friends and neighbors here in the Nation's capital and give them the essence of democracy, the right to vote here on the floor of the House of Representatives? I think we should.

There are different views as to how we should do this. The former chairman of the Judiciary Committee says it's constitutional, but doesn't like the at-large aspect of the Utah seat but we are not able to debate that on the floor today. My friend from California (Mr. ROHRBACHER) who has long been a champion of voting rights here has a different mechanism under which this could be established.

I wish we could have a full and open debate on this. I think it would be helpful to the process. And I am really torn. Because on the one hand our side doesn't want the bill to come up at all, and the other side wants this to come up under very closed rules where we can't have full and open debate. I look forward to a spirited colloquy as we move through this. I am going to support the bill in its final form, of course, as it moves through because I think this is something that is long overdue for citizens of the Nation's capital and with a long line of legal precedents which treats the District of Columbia like a State when Congress says it can be treated like a State. Things like the right to trial by jury, paying Federal taxes, other issues that apply only to States under the Constitution but which under the District clause to the Constitution when we apply it to the District, it is treated like a State.

And once again, looking at such conservative jurists as Ken Starr, Viet Dinh who wrote the PATRIOT Act for the Bush administration testified under oath as to its constitutionality. This shouldn't ultimately be locked up in this. This should be about basic voting rights for the capital of the Free World.

Mr. ARCURI. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from New York has 3 minutes. The gentleman from Texas has 2 minutes.

Mr. ARCURI. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. I thank the gentleman for inquiring. I would like to save my 2 minutes for my close and would like to ask if the gentleman would allow me 1 additional minute for a speaker that I have.

Mr. ARCURI. Mr. Speaker, I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I just want to say, I will not object. I will not object, out of the sense of fairness that I hope that every Member will bring with them to the floor when the time comes to vote on this bill. I will not object, because Mr. ROHRABACHER, who may disagree with my bill, has at least understood that the Republic will not go on as long as the residents of the Nation's capital are denied a vote in the Congress and has himself introduced his own version of a voting rights bill.

Mr. ARCURI. Mr. Speaker, this is all about fairness. And in the spirit of fairness that the gentlewoman from the District of Columbia (Ms. NORTON) talks about, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS) for debate only.

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Mr. SESSIONS. Mr. Speaker, I thank the gentleman for yielding me the time, and I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, my friend was very correct when she said we should all be concerned about the rights of the people who live here in the District of Columbia, the fact that they have taxation without representation and then lack the voting rights other people do. However, what is being offered today is clearly unconstitutional. If we just go through this whole procedure and it gets thrown out by the Court, what have we accomplished?

There is an alternative. Unfortunately, that substitute was not made in order. There is an alternative which would give the people in this State not only the right to vote for a Representative in the House, but for a Senator and 11 congressional electors as well. The substitute, which would be constitutional, simply grants the citizens of the District of Columbia their State citizenship rights in Maryland, which is what happened in Virginia, of course, in the past, 100 years ago. My substitute would give the people of this city the right to vote for two Senators as well as a Representative as well as electors, and yet this was not permitted to come to the House here today. It is a substitute, and we were not allowed to vote on it here or to even consider it.

I would say there are some political considerations that have limited this debate at the expense of the people of this city. I would like to place in the RECORD a further description of the substitute legislation that I have in mind. And I would suggest that what we do is get politics out of this. Let us

give these people a right not only to vote for a Representative, here but for two Senators. We have it within our ability to do that.

The Rohrabacher substitute, essentially the text of H.R. 492, restores the full House, Senate, and Electoral College voting rights enjoyed by residents of the District of Columbia as citizens of Maryland from creation of the District in 1790 to the enactment of the Organic Act of 1801. By restoring the state citizenship rights of D.C. residents to vote for, run for, and serve as U.S. Representatives and Senators, the Rohrabacher substitute complies with the literal reading of Sections 2 and 3 of Article I of the Constitution requiring that Representatives and Senators come from states.

Like the base bill, the Rohrabacher substitute adds an additional Representative for the next state in line in the 2000 census (i.e., Utah), and permanently increases the membership of the House of Representatives to 437. The bill provides an additional Representative for Maryland, which for census purposes will include the population of the District of Columbia. Until redistricting is accomplished, D.C. would constitute the additional Maryland district by itself. When Maryland redistricts its congressional districts, its districts would have to be equal in population, but the District of Columbia could not be divided into more than one congressional district. Federal elections in D.C. would be conducted pursuant to Maryland election law, with the D.C. government treated as a local jurisdiction in Maryland for this purpose.

To avoid double counting in the Electoral College, the substitute exercises Congress's powers in both sections of the 23rd Amendment to provide that the D.C.'s own presidential electors not be appointed or cast votes. The bill would take effect with the 2008 election, with the new Representatives from Maryland and Utah taking office at the beginning of the 111th Congress, at which point the offices of D.C. delegate and D.C.'s shadow Representative and Senators would be abolished. Utah would be required to hold its 2008 and 2010 congressional elections in accordance with the four-district plan the state adopted in 2006.

Mr. SESSIONS. Mr. Speaker, I would like to, before I really begin, extend my thanks to the Members of Congress, including Mr. ARCURI, who has taken time and been very gracious in his professional nature today on the floor, as well as the other Members who have been here, and I want to thank them for working together with us.

Mr. Speaker, I will be urging Members to oppose the previous question so that I may offer an amendment to the rule which would make in order the constitutional amendment offered by Representative DANA ROHRABACHER, as described today, which was presented to the Rules Committee last night. At a minimum the House should be allowed to vote and debate on a practical, legal alternative.

Mr. Speaker, I urge all Members to reject the previous question. If the previous question is agreed to, I urge Members to reject the closed rule and the unconstitutional underlying measure.

Mr. Speaker, I ask unanimous consent to insert into the RECORD the amendment and extraneous material just prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time.

Mr. ARCURI. Mr. Speaker, the nearly 600,000 citizens of Washington D.C. have waited far too long for equal representation in this Chamber. They have sacrificed their lives defending this great Nation, paid their fair share in taxes, and helped to build and run this great Nation.

We have an opportunity to correct this grave injustice and provide the citizens of our Nation's capital with the most important right of all, and that is, of course, the right to vote.

I want to commend the Delegate from Washington, D.C., for her tireless efforts that have brought us together on this historic day. It is that type of passion and commitment that further strengthens our democracy.

I urge a "yes" vote on the rule and on the previous question.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 260 OFFERED BY REP. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution, after conclusion of the time for debate on the bill it shall be in order without intervention of any point of order to consider the amendment in section 3, if offered by Mr. Rohrabacher of California or his designee. The amendment shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question.

SEC. 4. The amendment referred to in section 3 is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Voting Rights Restoration Act of 2007".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) There is no reason, either historically or by virtue of law, why the people of the District of Columbia, the capital of the United States of America, should not have full voting representation in the Congress of the United States.

(2) Article I, section 8, clause 17 of the Constitution of the United States, which authorized the creation of the District of Columbia, provides only that the Congress shall have "exclusive legislation in all cases whatsoever" over that District.

(3) The same clause of the Constitution provides that Congress "shall exercise like authority over" other Federal territories that have been purchased from the States for Federal purposes. Residents of other Federal enclaves, though also denied voting rights after becoming subject to exclusive Federal jurisdiction, have had restored their right to vote for and serve as elected Federal officials from their respective States which ceded the Federal enclaves to the United States.

(4) Congress has exercised its authority to regulate Federal elections under article I, section 4 of the Constitution to set the legal requirements that States must follow in establishing Congressional districts. Congress

has also exercised this authority to require States to allow United States citizens who are former residents, and their children who are United States citizens, who are living overseas to vote in Federal elections in the previous State of residence, notwithstanding the fact that such former residents and their children may have no intention of returning or establishing residence in that State, and notwithstanding the fact that such citizens are not subject to the laws of that State, including tax laws.

(5) The entire territory of the current District of Columbia was ceded to the United States by the State of Maryland, one of the original 13 States of the United States. The portion of the original District of Columbia ceded to the United States by the Commonwealth of Virginia was returned to the authority of that state in 1846, and the people who now reside in that area vote as citizens of the Commonwealth of Virginia.

(6) The Supreme Court of the United States has found that the cession of legislative authority over the territory that became the District of Columbia by the States of Maryland and Virginia did not remove that territory from the United States, and that the people who live in that territory are entitled to all the rights, guarantees, and immunities of the Constitution that they formerly enjoyed as citizens of those States. *O'Donoghue v. United States*, 289 U.S. 516 (1933); *Downes v. Bidwell*, 182 U.S. 244 (1901). Among those guarantees are the right to equal protection of the laws and the right to participate, equally with other Americans, in a Republican form of government.

(7) Since the people who lived in the territory that now makes up the District of Columbia once voted in Maryland as citizens of Maryland, and Congress by adoption of the Organic Act of 1801 severed the political connection between Maryland and the District of Columbia by statute, Congress has the power by statute to restore Maryland state citizenship rights, including Federal electoral rights, that it took away by enacting the Organic Act of 1801.

### SEC. 3. RESTORATION OF RIGHT OF DISTRICT OF COLUMBIA RESIDENTS TO PARTICIPATE AS MARYLAND RESIDENTS IN CONGRESSIONAL ELECTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of representation in the House of Representatives and Senate, the right of the people of the District of Columbia to be eligible to participate in elections for the House of Representatives and Senate as Maryland residents in accordance with the laws of the State of Maryland, is hereby restored.

(b) ELIGIBILITY TO HOLD CONGRESSIONAL OFFICE.—Notwithstanding any other provision of law, for purposes of determining eligibility to serve as a Member of the House of Representatives or Senate, the right of the residents of the District of Columbia to be considered inhabitants of the State of Maryland is hereby restored.

(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office occurring during 2008 and any succeeding year.

### SEC. 4. RESTORATION OF RIGHT OF DISTRICT OF COLUMBIA RESIDENTS TO PARTICIPATE AS MARYLAND RESIDENTS IN PRESIDENTIAL ELECTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the right of the people of the District of Columbia to be eligible to participate in elections for electors of President and Vice President, and to serve as such electors as Maryland residents in accordance with the laws of the State of Maryland, is hereby restored.

(b) ELIGIBILITY TO SERVE AS ELECTORS.—Notwithstanding any other provision of law,

for purposes of determining eligibility to serve as electors of President and Vice President, the right of the residents of the District of Columbia to be considered inhabitants of the State of Maryland is hereby restored.

(c) TERMINATION OF APPOINTMENT OF SEPARATE ELECTORS BY DISTRICT OF COLUMBIA.—In accordance with the authority under sections 1 and 2 of the 23rd amendment to the Constitution and the authority under article I, Section 8, to legislate for the District of Columbia, and notwithstanding any other provision of law, Congress directs that no electors of President and Vice President shall be appointed by the District of Columbia and that no votes from such electors shall be cast or counted in the electoral vote for President and Vice President.

(d) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Chapter 1 of title 3, United States Code, is amended by striking section 21.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 3, United States Code, is amended by striking the item relating to section 21.

### SEC. 5. COMPOSITION OF HOUSE OF REPRESENTATIVES.

(a) NUMBER AND APPORTIONMENT OF MARYLAND MEMBERS.—For purposes of determining the number and apportionment of the members of the House of Representatives from the State of Maryland for the One Hundred Eleventh Congress and each succeeding Congress, the population of the District of Columbia shall be added to the population of Maryland under the decennial census.

(b) INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.—

(1) PERMANENT INCREASE IN NUMBER OF MEMBERS.—Effective with respect to the One Hundred Eleventh Congress and each succeeding Congress, the House of Representatives shall be composed of 437 Members.

(2) REAPPORTIONMENT OF MEMBERS RESULTING FROM INCREASE.—

(A) IN GENERAL.—Section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a(a)), is amended by striking “the then existing number of Representatives” and inserting “the number of Representatives established with respect to the One Hundred Eleventh Congress”.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply with respect to the regular decennial census conducted for 2010 and each subsequent regular decennial census.

(c) REVISION OF APPORTIONMENT PRIOR TO NEXT CENSUS.—

(1) TRANSMITTAL OF REVISED APPORTIONMENT INFORMATION BY PRESIDENT AND CLERK.—

(A) STATEMENT OF APPORTIONMENT BY PRESIDENT.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a revised version of the most recent statement of apportionment submitted under section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a(a)), to take into account this section and the amendments made by this section.

(B) REPORT BY CLERK.—Not later than 15 calendar days after receiving the revised version of the statement of apportionment under subparagraph (A), the Clerk of the House of Representatives, in accordance with section 22(b) of such Act (2 U.S.C. 2a(b)), shall send to the executive of the State (other than the State of Maryland) entitled

to one additional Representative pursuant to this section a certificate of the number of Representatives to which such State is entitled under section 22 of such Act, and shall submit a report identifying that State to the Speaker of the House of Representatives.

(2) COMPOSITION OF CONGRESSIONAL DISTRICTS FOR AFFECTED STATE.—Until the taking effect of the first reapportionment occurring after the regular decennial census conducted for 2010, the Congressional districts of the State identified by the Clerk of the House of Representatives in the report submitted under paragraph (1) shall be those districts established under a law enacted by the State during 2006 (without regard to any amendments made to such law after 2006) which established Congressional districts for the State but which did not take effect because the number of districts provided under the law was greater than the number of districts to which the State was finally entitled after the regular decennial census for 2000.

(d) PROHIBITING DIVISION OF DISTRICT OF COLUMBIA INTO SEPARATE CONGRESSIONAL DISTRICTS.—

(1) IN GENERAL.—Notwithstanding subsection (a), in establishing Congressional districts after the effective date of this section, the State of Maryland shall ensure that the entire area of the District of Columbia is included in the same Congressional district (except as provided in paragraph (2)).

(2) SPECIAL RULE IF POPULATION OF DISTRICT EQUALS OR EXCEEDS AVERAGE POPULATION OF MARYLAND CONGRESSIONAL DISTRICTS.—If the population of the District of Columbia equals or exceeds the average population of a Congressional district in the State of Maryland under the decennial census used for the apportionment of the Members of the House of Representatives from the State of Maryland, the State of Maryland shall ensure that at least one Congressional district in the State consists exclusively of territory within the District of Columbia.

(3) SPECIAL RULE FOR INITIAL DISTRICT.—Until the State of Maryland establishes Congressional districts to take into account the enactment of this section, the Congressional district of the additional Representative to which the State is entitled under this section shall consist exclusively of the area of the District of Columbia.

### SEC. 6. COORDINATION OF ELECTION ADMINISTRATION.

(a) APPLICATION OF MARYLAND ELECTION LAWS.—

(1) IN GENERAL.—Federal elections in the District of Columbia shall be administered and carried out by the State of Maryland, in accordance with the applicable laws of the State of Maryland.

(2) TREATMENT OF DISTRICT AS UNIT OF LOCAL GOVERNMENT.—For purposes of the laws of the State of Maryland which apply to Federal elections in the District of Columbia pursuant to paragraph (1), the District of Columbia shall be considered to be a unit of local government within the State of Maryland with responsibility for the administration of Federal elections.

(b) TREATMENT OF DISTRICT OF COLUMBIA AS PART OF MARYLAND UNDER HELP AMERICA VOTE ACT OF 2002.—Section 901 of the Help America Vote Act of 2002 (42 U.S.C. 15541) is amended—

(1) by striking “the District of Columbia”;

(2) by striking “In this Act” and inserting “(a) IN GENERAL. In this Act”; and

(3) by adding at the end the following new subsection:

“(b) SPECIAL RULE FOR STATE OF MARYLAND AND DISTRICT OF COLUMBIA.—For purposes of this Act, the following shall apply:

“(1) The voting age population of the State of Maryland shall be considered to include the voting age population of the District of

Columbia for purposes of sections 101(d)(4) and 252(b).

“(2) The District of Columbia shall be considered a unit of local government or jurisdiction located within the State of Maryland.

“(3) An election for Federal office taking place in the District of Columbia shall be considered to take place in the State of Maryland.”.

(c) CONFORMING AMENDMENTS TO OTHER FEDERAL ELECTION LAWS.—

(1) UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—

(A) IN GENERAL.—Title I of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by adding at the end the following new section:

**“SEC. 108. SPECIAL RULE FOR STATE OF MARYLAND AND DISTRICT OF COLUMBIA.**

“For purposes of this title, the following shall apply:

“(1) An absent uniformed services voter or overseas voter who is a resident of the District of Columbia shall be considered to be a resident of the State of Maryland.

“(2) An election for Federal office taking place in the District of Columbia shall be considered to take place in the State of Maryland.

“(3) The State of Maryland, and the election officials of the State of Maryland, shall be responsible for carrying out the provisions of this title with respect to voters who are residents of the District of Columbia.”.

(B) CONFORMING AMENDMENT.—Section 107(6) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—6) is amended by striking “the District of Columbia.”.

(2) NATIONAL VOTER REGISTRATION ACT OF 1973.—

(A) IN GENERAL.—The National Voter Registration Act of 1973 (42 U.S.C. 1973gg et seq.) is amended—

(i) by redesignating section 13 as section 14; and

(ii) by adding at the end the following new section:

**“SEC. 12. SPECIAL RULE FOR STATE OF MARYLAND AND DISTRICT OF COLUMBIA.**

“For purposes of this Act, the following shall apply:

“(1) The District of Columbia shall be considered a registrar's jurisdiction within the State of Maryland.

“(2) An election for Federal office taking place in the District of Columbia shall be considered to take place in the State of Maryland.

“(3) The State of Maryland, and the election officials of the State of Maryland, shall be responsible for carrying out this Act with respect to the District of Columbia, except that—

“(A) section 5 shall apply to motor vehicle driver's license applications and the motor vehicle authority of the District of Columbia in the same manner as that section applies to a State, and the State of Maryland shall provide the District of Columbia with such forms and other materials as the District of Columbia may require to carry out that section; and

“(B) the District of Columbia shall designate voter registration agencies under section 7 in the same manner as a State, and the State of Maryland shall provide the District of Columbia with such forms and other materials as the District of Columbia may require to carry out that section.”.

(B) CONFORMING AMENDMENT.—Section 3(4) of such Act (42 U.S.C. gg—1(4)) is amended by striking “and the District of Columbia”.

(3) VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT.—

(A) IN GENERAL.—The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) is amended—

(i) by redesignating section 8 as section 9; and

(ii) by inserting after section 7 the following new section:

**“SPECIAL RULE FOR STATE OF MARYLAND AND DISTRICT OF COLUMBIA**

“SEC. 8. For purposes of this Act, the following shall apply:

“(1) The District of Columbia shall be considered a political subdivision of the State of Maryland.

“(2) An election for Federal office taking place in the District of Columbia shall be considered to take place in the State of Maryland.

“(3) The State of Maryland shall be responsible for carrying out this Act with respect to the District of Columbia.”.

(B) CONFORMING AMENDMENT.—Section 8(5) of such Act (42 U.S.C. 1973ee—6(5)) is amended by striking “the District of Columbia.”.

(d) CONFORMING AMENDMENT TO HOME RULE ACT.—Section 752 of the District of Columbia Home Rule Act (sec. 1—207.52, D.C. Official Code) is amended by striking the period at the end and inserting the following: “, except to the extent required under section 5 of the District of Columbia Voting Rights Restoration Act of 2007.”.

(e) OTHER CONFORMING AMENDMENT TO DISTRICT OF COLUMBIA ELECTION LAW.—The District of Columbia Elections Code of 1955 is amended by adding at the end the following new section:

**“SEC. 18. APPLICABILITY OF MARYLAND ELECTION LAW FOR ADMINISTRATION OF FEDERAL ELECTIONS.**

“Notwithstanding any other provision of this Code or other law or regulation of the District of Columbia—

“(1) any election for Federal office in the District of Columbia shall be administered and carried out by the State of Maryland, in accordance with the applicable law of the State of Maryland; and

“(2) no provision of this Code shall apply with respect to any election for Federal office to the extent that the provision is inconsistent with the applicable law of the State of Maryland.”.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to elections for Federal office occurring during 2008 and any succeeding year.

**SEC. 7. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA DELEGATE.**

(a) REPEAL OF OFFICE.—

(1) IN GENERAL.—Sections 202 and 204 of the District of Columbia Delegate Act (Public Law 91—405; sections 1—401 and 1—402, D.C. Official Code) are repealed, and the provisions of law amended or repealed by such sections are restored or revived as if such sections had not been enacted.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date on which a Representative from Maryland who is elected from a Congressional district which includes the District of Columbia takes office for the One Hundred Eleventh Congress.

(b) CONFORMING AMENDMENTS TO DISTRICT OF COLUMBIA ELECTIONS CODE OF 1955.—

(1) IN GENERAL.—The District of Columbia Elections Code of 1955 is amended—

(A) in section 1 (sec. 1—1001.01, D.C. Official Code), by striking “the Delegate to the House of Representatives”;

(B) in section 2 (sec. 1—1001.02, D.C. Official Code)—

(i) by striking paragraph (6), and

(ii) in paragraph (13), by striking “the Delegate to Congress for the District of Columbia”;

(C) in section 8 (sec. 1—1001.08, D.C. Official Code)—

(i) by striking “Delegate” in the heading, and

(ii) by striking “Delegate,” each place it appears in subsections (h)(1)(A), (i)(1), and (j)(1);

(D) in section 10 (sec. 1—1001.10, D.C. Official Code)—

(i) by striking subparagraph (A) of subsection (a)(3), and

(ii) in subsection (d)—

(I) by striking “Delegate,” each place it appears in paragraph (1), and

(II) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(E) in section 15(b) (sec. 1—1001.15(b), D.C. Official Code), by striking “Delegate,”; and

(F) in section 17(a) (sec. 1—1001.17(a), D.C. Official Code), by striking “except the Delegate to the Congress from the District of Columbia”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to elections occurring during 2008 and any succeeding year.

**SEC. 8. REPEAL OF OFFICES OF STATEHOOD REPRESENTATIVE AND SENATOR.**

(a) REPEAL OF OFFICES.—

(1) IN GENERAL.—Section 4 of the District of Columbia Statehood Constitutional Convention Initiative of 1979 (sec. 1—123, D.C. Official Code) is amended by striking subsections (d) through (h).

(2) CONFORMING AMENDMENTS.—

(A) STATEHOOD COMMISSION.—Section 6 of such Initiative (sec. 1—125, D.C. Official Code) is amended—

(i) in subsection (a)—

(I) by striking “27 voting members” and inserting “24 voting members”,

(II) by adding “and” at the end of paragraph (4); and

(III) by striking paragraphs (5) and (6) and redesignating paragraph (7) as paragraph (5); and

(ii) in subsection (a—1)(1), by striking subparagraphs (F), (G), and (H).

(B) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Initiative (sec. 1—127, D.C. Official Code) is hereby repealed.

(C) APPLICATION OF HONORARIA LIMITATIONS.—Section 4 of D.C. Law 8—135 (sec. 1—131, D.C. Official Code) is hereby repealed.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date on which a Representative from Maryland who is elected from a Congressional district which includes the District of Columbia takes office for the One Hundred Eleventh Congress.

(b) CONFORMING AMENDMENTS RELATING TO ELECTIONS.—

(1) APPLICATION OF CAMPAIGN FINANCE LAWS.—Section 3 of the Statehood Convention Procedural Amendments Act of 1982 (sec. 1—135, D.C. Official Code) is hereby repealed.

(2) LIST OF ELECTED OFFICIALS.—Section 2(13) of the District of Columbia Elections Code of 1955 (sec. 1—1001.02(13), D.C. Official Code) is amended by striking “United States Senator and Representative.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to elections occurring during 2008 and any succeeding year.

**SEC. 9. NONSEVERABILITY OF CERTAIN PROVISIONS.**

If any provision of sections 3, 5(a), or 5(b) of this Act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this Act or any amendment made by this Act shall be treated as invalid.

**SEC. 10. RULES OF CONSTRUCTION.**

Nothing in this Act may be construed—

(1) to permit residents of the District of Columbia to vote in elections for State or local office in the State of Maryland or to permit nonresidents of the District of Columbia to vote in elections for local office in the District of Columbia;

(2) to affect the power of Congress under article I, section 8, clause 17 of the Constitution to exercise exclusive legislative authority over the District of Columbia; or

(3) to affect the powers of the Government of the District of Columbia under the District of Columbia Home Rule Act (except as specifically provided in this Act).

Amend the title so as to read: "A bill to restore the Federal electoral rights of the residents of the District of Columbia, and for other purposes."

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection

of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 260 will be followed by 5-minute votes, if ordered, on adopting House Resolution 260; and suspending the rules and agreeing to House Concurrent Resolution 66.

The vote was taken by electronic device, and there were—yeas 228, nays 198, not voting 7, as follows:

[Roll No. 179]

YEAS—228

Abercrombie	Costa	Hastings (FL)
Ackerman	Costello	Herseth
Allen	Courtney	Higgins
Altmire	Cramer	Hill
Andrews	Crowley	Hinchey
Arcuri	Cuellar	Hinojosa
Baca	Cummings	Hirono
Baird	Davis (AL)	Hodes
Baldwin	Davis (CA)	Holden
Bean	Davis (IL)	Holt
Becerra	Davis, Lincoln	Honda
Berkley	DeFazio	Hookey
Berman	DeGette	Hoyer
Berry	DeLauro	Inslee
Bishop (GA)	Dicks	Israel
Bishop (NY)	Dingell	Jackson (IL)
Blumenauer	Doggett	Jackson-Lee
Boren	Donnelly	(TX)
Boswell	Doyle	Jefferson
Boucher	Edwards	Johnson (GA)
Boyd (FL)	Ellison	Jones (OH)
Boyd (KS)	Ellsworth	Kagen
Brady (PA)	Emanuel	Kaptur
Braley (IA)	Engel	Kennedy
Brown, Corrine	Eshoo	Kildee
Butterfield	Etheridge	Kilpatrick
Capps	Farr	Kind
Capuano	Fattah	Klein (FL)
Cardoza	Filner	Kucinich
Carnahan	Frank (MA)	Lampson
Carney	Giffords	Langevin
Carson	Gillibrand	Lantos
Castor	Gonzalez	Larsen (WA)
Chandler	Gordon	Larson (CT)
Clarke	Green, Al	Lee
Clay	Green, Gene	Levin
Cleaver	Grijalva	Lewis (GA)
Clyburn	Gutierrez	Lipinski
Cohen	Hall (NY)	Loebach
Conyers	Hare	Lofgren, Zoe
Cooper	Harman	Lowey

Lynch	Ortiz	Smith (WA)
Mahoney (FL)	Pallone	Snyder
Maloney (NY)	Pascarell	Solis
Markey	Pastor	Space
Marshall	Payne	Spratt
Matheson	Perlmutter	Stark
Matsui	Peterson (MN)	Stupak
McCarthy (NY)	Pomeroy	Sutton
McCollum (MN)	Price (NC)	Tanner
McDermott	Rahall	Tauscher
McGovern	Rangel	Taylor
McIntyre	Reyes	Thompson (CA)
McNerney	Rodriguez	Thompson (MS)
McNulty	Ross	Tierney
Meehan	Rothman	Towns
Meek (FL)	Roybal-Allard	Udall (CO)
Meeks (NY)	Ruppersberger	Udall (NM)
Melancon	Rush	Van Hollen
Michaud	Ryan (OH)	Velázquez
Millender	Salazar	Visclosky
McDonald	Sánchez, Linda	Walz (MN)
Miller (NC)	T.	Wasserman
Miller, George	Sanchez, Loretta	Schultz
Mitchell	Sarbanes	Waters
Mollohan	Schakowsky	Watson
Moore (KS)	Schiff	Watt
Moore (WI)	Schwartz	Waxman
Moran (VA)	Scott (GA)	Weiner
Murphy (CT)	Scott (VA)	Welch (VT)
Murphy, Patrick	Serrano	Wexler
Murtha	Sestak	Wilson (OH)
Nadler	Shea-Porter	Woolsey
Napolitano	Sherman	Wu
Neal (MA)	Shuler	Wynn
Oberstar	Sires	Yarmuth
Obey	Skelton	
Olver	Slaughter	

NAYS—198

Aderholt	Ferguson	McCaul (TX)
Akin	Flake	McCotter
Alexander	Forbes	McCrery
Bachmann	Fortenberry	McHenry
Bachus	Fossella	McHugh
Baker	Fox	McKeon
Barrett (SC)	Franks (AZ)	McMorris
Barrow	Frelinghuysen	Rodgers
Bartlett (MD)	Galleghy	Mica
Barton (TX)	Garrett (NJ)	Miller (FL)
Biggart	Gerlach	Miller (MI)
Blibray	Gilchrest	Miller, Gary
Bilirakis	Gillmor	Moran (KS)
Bishop (UT)	Gingrey	Murphy, Tim
Blackburn	Gohmert	Musgrave
Blunt	Goode	Myrick
Boehner	Goodlatte	Neugebauer
Bonner	Granger	Nunes
Bono	Graves	Paul
Boozman	Hall (TX)	Pearce
Boustany	Hastert	Pence
Brady (TX)	Hastings (WA)	Peterson (PA)
Brown (SC)	Hayes	Petri
Brown-Waite,	Heller	Pickering
Ginny	Hensarling	Pitts
Buchanan	Herger	Platts
Burgess	Hobson	Poe
Burton (IN)	Hoekstra	Porter
Buyer	Hulshof	Price (GA)
Calvert	Hunter	Pryce (OH)
Camp (MI)	Inglis (SC)	Putnam
Campbell (CA)	Issa	Ramstad
Cannon	Jindal	Regula
Cantor	Johnson (IL)	Rehberg
Capito	Johnson, Sam	Reichert
Carter	Jones (NC)	Renzi
Castle	Jordan	Reynolds
Chabot	Keller	Rogers (AL)
Coble	King (IA)	Rogers (KY)
Cole (OK)	King (NY)	Rogers (MI)
Conaway	Kingston	Rohrabacher
Crenshaw	Kirk	Ros-Lehtinen
Cubin	Kline (MN)	Roskam
Culberson	Knollenberg	Royce
Davis (KY)	Kuhl (NY)	Ryan (WI)
Davis, David	LaHood	Sali
Davis, Tom	Lamborn	Saxton
Dent	Latham	Schmidt
Diaz-Balart, L.	LaTourette	Sensenbrenner
Diaz-Balart, M.	Lewis (CA)	Sessions
Doolittle	Lewis (KY)	Shadegg
Drake	Linder	Shays
Dreier	LoBiondo	Shimkus
Duncan	Lucas	Shuster
Ehlers	Lungren, Daniel	Simpson
Emerson	E.	Smith (NE)
English (PA)	Mack	Smith (NJ)
Everett	Manzullo	Smith (TX)
Fallin	Marchant	Souder
Feeney	McCarthy (CA)	Stearns



Sullivan Upton Westmoreland  
Tancredo Walberg Whitfield  
Terry Walden (OR) Wicker  
Thornberry Walsh (NY) Wilson (NM)  
Tiahrt Wamp Wilson (SC)  
Tiberi Weldon (FL) Wolf  
Turner Weller Young (AK)

## NOT VOTING—7

Davis, Jo Ann Johnson, E. B. Young (FL)  
Deal (GA) Kanjorski  
Delahunt Radanovich

□ 1156

Mr. CARDOZA and Mr. PASTOR changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 180, had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 195, not voting 12, as follows:

[Roll No. 180]

## AYES—226

Abercrombie	Davis (CA)	Jefferson
Ackerman	Davis (IL)	Johnson (GA)
Allen	Davis, Lincoln	Jones (NC)
Altmire	DeFazio	Jones (OH)
Andrews	DeGette	Kagen
Arcuri	Delahunt	Kaptur
Baca	DeLauro	Kennedy
Baird	Dicks	Kildee
Baldwin	Dingell	Kilpatrick
Barrow	Doggett	Kind
Bean	Donnelly	Klein (FL)
Becerra	Doyle	Kucinich
Berkley	Edwards	Lampson
Berman	Ellison	Langevin
Berry	Ellsworth	Lantos
Bishop (GA)	Emanuel	Larsen (WA)
Bishop (NY)	Engel	Larson (CT)
Blumenauer	Eshoo	Lee
Boren	Etheridge	Levin
Boswell	Farr	Lipinski
Boucher	Fattah	Loebsack
Boyd (FL)	Filner	Lofgren, Zoe
Boyd (KS)	Frank (MA)	Lowe
Brady (PA)	Giffords	Lynch
Braley (IA)	Gillibrand	Mahoney (FL)
Brown, Corrine	Gonzalez	Maloney (NY)
Butterfield	Gordon	Markley
Capps	Green, Al	Marshall
Capuano	Grijalva	Matheson
Cardoza	Hall (NY)	Matsui
Carnahan	Hare	McCarthy (NY)
Carney	Harman	McCollum (MN)
Carson	Hastings (FL)	McDermott
Castor	Herseth	McGovern
Chandler	Higgins	McIntyre
Clarke	Hill	McNerney
Clay	Hinchey	McNulty
Cleaver	Hinojosa	Meehan
Clyburn	Hirono	Meek (FL)
Cohen	Hodes	Meeks (NY)
Conyers	Holden	Melancon
Cooper	Holt	Michaud
Costa	Honda	Millender-
Costello	Hookey	McDonald
Courtney	Hoyer	Miller (NC)
Cramer	Inslee	Miller, George
Crowley	Israel	Mitchell
Cuellar	Jackson (IL)	Mollohan
Cummings	Jackson-Lee	Moore (KS)
Davis (AL)	(TX)	Moore (WI)

Moran (VA) Ryan (OH)  
Murphy (CT) Salazar  
Murphy, Patrick Sánchez, Linda  
Murtha T.  
Nadler Sanchez, Loretta  
Napolitano Sarbanes  
Neal (MA) Schakowsky  
Oberstar Schiff  
Obey Schwartz  
Oliver Scott (GA)  
Ortiz Scott (VA)  
Pallone Serrano  
Pascrell Sestak  
Pastor Shea-Porter  
Payne Sherman  
Perlmutter Shuler  
Peterson (MN) Sires  
Pomeroy Skelton  
Price (NC) Slaughter  
Rahall Smith (WA)  
Rangel Snyder  
Reyes Solis  
Rodriguez Space  
Ross Spratt  
Rothman Stark  
Roybal-Allard Stupak  
Ruppersberger Sutton

## NOES—195

Aderholt	Frelinghuysen	Musgrave
Akin	Gallagher	Myrick
Alexander	Garrett (NJ)	Neugebauer
Bachmann	Gerlach	Nunes
Bachus	Gilchrest	Paul
Baker	Gillmor	Pearce
Barrett (SC)	Gingrey	Pence
Bartlett (MD)	Gohmert	Peterson (PA)
Barton (TX)	Goode	Petri
Biggert	Goodlatte	Pickering
Bilbray	Granger	Pitts
Bilirakis	Graves	Platts
Bishop (UT)	Hall (TX)	Poe
Blackburn	Hastert	Porter
Blunt	Hastings (WA)	Price (GA)
Boehner	Hayes	Pryce (OH)
Bonner	Heller	Putnam
Bono	Hensarling	Ramstad
Boozman	Herger	Regula
Boustany	Hobson	Rehberg
Brady (TX)	Hoekstra	Reichert
Brown (SC)	Hulshof	Renzi
Brown-Waite,	Hunter	Reynolds
Ginny	Inglis (SC)	Rogers (AL)
Buchanan	Issa	Rogers (KY)
Burgess	Jindal	Rogers (MI)
Burton (IN)	Johnson (IL)	Rohrabacher
Buyer	Johnson, Sam	Ros-Lehtinen
Calvert	Jordan	Roskam
Camp (MI)	Keller	Royce
Campbell (CA)	King (IA)	Ryan (WI)
Cannon	King (NY)	Sali
Cantor	Kingston	Saxton
Capito	Kirk	Schmidt
Carter	Kline (MN)	Sensenbrenner
Castle	Knollenberg	Sessions
Chabot	Kuhl (NY)	Shadegg
Coble	LaHood	Shays
Cole (OK)	Lamhorn	Shimkus
Conaway	Latham	Shuster
Crenshaw	LaTourette	Simpson
Cubin	Lewis (CA)	Smith (NE)
Culberson	Lewis (KY)	Smith (NJ)
Drake	Linder	Smith (TX)
Dreier	LoBiondo	Souder
Duncan	Lucas	Stearns
Ehlers	Lungren, Daniel	Sullivan
Emerson	E.	Tancredo
English (PA)	Mack	Terry
Everett	Manzullo	Thornberry
Fallin	Marchant	Tiahrt
Feeney	McCarthy (CA)	Tiberi
Ferguson	McCaull (TX)	Turner
Flake	McCotter	Upton
Forbes	McCrery	Walberg
Fortenberry	McHenry	Walden (OR)
Fossella	McHugh	Walsh (NY)
Fox	McKeon	Wamp
Franks (AZ)	McMorris	Weldon (FL)
	Rodgers	Weller
	Mica	Westmoreland
	Miller (FL)	Wicker
	Miller (MI)	Wilson (NM)
	Miller, Gary	Wilson (SC)
	Moran (KS)	Wolf
	Murphy, Tim	Young (AK)

## NOT VOTING—12

Davis, Jo Ann Green, Gene Johnson, E. B.  
Deal (GA) Gutierrez Kanjorski

Lewis (GA) Rush Whitfield  
Radanovich Taylor Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1205

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PERMITTING USE OF ROTUNDA FOR A CEREMONY COMMEMORATING THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

The SPEAKER pro tempore (Mrs. TAUSCHER). The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 66, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 66.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 9, as follows:

[Roll No. 181]

## YEAS—424

Abercrombie	Brown, Corrine	Davis (KY)
Ackerman	Brown-Waite,	Davis, David
Aderholt	Ginny	Davis, Lincoln
Akin	Buchanan	Davis, Tom
Alexander	Burgess	DeFazio
Allen	Burton (IN)	DeGette
Altmire	Butterfield	Delahunt
Andrews	Buyer	DeLauro
Arcuri	Calvert	Dent
Baca	Camp (MI)	Diaz-Balart, L.
Bachmann	Campbell (CA)	Diaz-Balart, M.
Bachus	Cannon	Dicks
Baird	Cantor	Dingell
Baker	Capito	Doggett
Baldwin	Capps	Donnelly
Barrett (SC)	Capuano	Doolittle
Barrow	Cardoza	Doyle
Bartlett (MD)	Carnahan	Drake
Barton (TX)	Carney	Dreier
Bean	Carson	Duncan
Becerra	Carter	Edwards
Berkley	Castle	Ehlers
Berman	Castor	Ellison
Berry	Chabot	Ellsworth
Biggert	Chandler	Emanuel
Bilbray	Clarke	Emerson
Bilirakis	Clay	Engel
Bishop (GA)	Cleaver	English (PA)
Bishop (NY)	Clyburn	Eshoo
Bishop (UT)	Coble	Etheridge
Blackburn	Cohen	Everett
Blumenauer	Cole (OK)	Fallin
Blunt	Conaway	Farr
Boehner	Conyers	Fattah
Bonner	Cooper	Feeney
Bono	Costa	Ferguson
Boozman	Costello	Flake
Boren	Courtney	Forbes
Boswell	Crenshaw	Fortenberry
Boucher	Crowley	Fossella
Boustany	Cubin	Fox
Boyd (FL)	Cuellar	Frank (MA)
Boyd (KS)	Culberson	Frank (AZ)
Brady (PA)	Cummings	Frelinghuysen
Brady (TX)	Davis (AL)	Gallagher
Braley (IA)	Davis (CA)	Garrett (NJ)
Brown (SC)	Davis (IL)	



Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gillmor  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Hersth  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hobson  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hulshof  
Hunter  
Inglis (SC)  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jindal  
Johnson (GA)  
Johnson (IL)  
Johnson, Sam  
Jones (OH)  
Jones  
Kagen  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Loebach  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch

Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pearce  
Pence  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Pryce (OH)  
Putnam  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Ross

Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sali  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Saxton  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shays  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Space  
Spratt  
Stark  
Stearns  
Stupak  
Sullivan  
Sutton  
Tancredo  
Tanner  
Tauscher  
Taylor  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walberg  
Walden (OR)  
Walsh (NY)  
Walz (MN)  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Weldon (FL)  
Weller  
Westmoreland  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (OH)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (AK)

## NOT VOTING—9

Cramer Johnson, E. B. Larson (CT)  
Davis, Jo Ann Jones (NC) Radanovich  
Deal (GA) Kanjorski Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1213

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 1433, the District of Columbia House Voting Rights Act of 2007.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

## DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Mr. CONYERS. Madam Speaker, pursuant to House Resolution 260, I call up the bill (H.R. 1433) to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 260, the amendment printed in House Report 110-63 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1433

## SECTION 1. SHORT TITLE.

*This Act may be cited as the "District of Columbia House Voting Rights Act of 2007".*

## SEC. 3. TREATMENT OF DISTRICT OF COLUMBIA AS CONGRESSIONAL DISTRICT.

(a) REPRESENTATION IN HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—Whereas the District of Columbia is drawn from the State of Maryland, notwithstanding any other provision of law, the District of Columbia shall be considered a Congressional district for purposes of representation in the House of Representatives.

(2) NO REPRESENTATION PROVIDED IN SENATE.—The District of Columbia shall not be considered a State for purposes of representation in the Senate.

(b) CONFORMING AMENDMENTS RELATING TO APPOINTMENT OF MEMBERS OF HOUSE OF REPRESENTATIVES.—

(1) INCLUSION OF SINGLE DISTRICT OF COLUMBIA MEMBER IN REAPPORTIONMENT OF MEMBERS AMONG STATES.—Section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 28, 1929 (2 U.S.C. 2a), is amended by adding at the end the following new subsection:

"(d) This section shall apply with respect to the District of Columbia in the same manner as this section applies to a State, except that the District of Columbia may not receive more than one Member under any reapportionment of Members."

(2) CLARIFICATION OF DETERMINATION OF NUMBER OF PRESIDENTIAL ELECTORS ON BASIS OF 23RD AMENDMENT.—Section 3 of title 3, United States Code, is amended by striking "come into office;" and inserting the following: "come into office (subject to the twenty-third article of amendment to the Constitution of the United States in the case of the District of Columbia);".

(c) CONFORMING AMENDMENTS REGARDING APPOINTMENTS TO SERVICE ACADEMIES.—

(1) UNITED STATES MILITARY ACADEMY.—Section 4342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking "the District of Columbia,".

(2) UNITED STATES NAVAL ACADEMY.—Such title is amended—

(A) in section 6954(a), by striking paragraph (5); and

(B) in section 6958(b), by striking "the District of Columbia,".

(3) UNITED STATES AIR FORCE ACADEMY.—Section 9342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking "the District of Columbia,".

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office for the One Hundred Tenth Congress.

## SEC. 4. INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.

(a) PERMANENT INCREASE IN NUMBER OF MEMBERS.—Effective with respect to the One Hundred Tenth Congress and each succeeding Congress, the House of Representatives shall be composed of 437 Members, including any Members representing the District of Columbia pursuant to section 3(a).

(b) REAPPORTIONMENT OF MEMBERS RESULTING FROM INCREASE.—

(1) IN GENERAL.—Section 22(a) of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 28, 1929 (2 U.S.C. 2a(a)), is amended by striking "the then existing number of Representatives" and inserting "the number of Representatives established with respect to the One Hundred Tenth Congress".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to the regular decennial census conducted for 2010 and each subsequent regular decennial census.

(c) SPECIAL RULES FOR PERIOD PRIOR TO 2012 REAPPORTIONMENT.—

(1) TRANSMITTAL OF REVISED STATEMENT OF APPOINTMENT BY PRESIDENT.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a revised version of the most recent statement of apportionment submitted under section 22(a) of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 28, 1929 (2 U.S.C. 2a(a)), to take into account this Act and the amendments made by this Act.

(2) REPORT BY CLERK.—Not later than 15 calendar days after receiving the revised version of the statement of apportionment under paragraph (1), the Clerk of the House of Representatives, in accordance with section 22(b) of such Act (2 U.S.C. 2a(b)), shall send to the executive of each State a certificate of the number of Representatives to which such State is entitled under section 22 of such Act, and shall submit

a report to the Speaker of the House of Representatives identifying the State (other than the District of Columbia) which is entitled to one additional Representative pursuant to this section.

(3) **REQUIREMENTS FOR ELECTION OF ADDITIONAL MEMBER.**—During the One Hundred Tenth Congress, the One Hundred Eleventh Congress, and the One Hundred Twelfth Congress—

(A) notwithstanding the Act entitled “An Act for the relief of Doctor Ricardo Vallejo Samala and to provide for congressional redistricting”, approved December 14, 1967 (2 U.S.C. 2c), the additional Representative to which the State identified by the Clerk of the House of Representatives in the report submitted under paragraph (2) is entitled shall be elected from the State at large; and

(B) the other Representatives to which such State is entitled shall be elected on the basis of the Congressional districts in effect in the State for the One Hundred Ninth Congress.

(d) **ADJUSTMENT OF PERCENTAGE LIMITATION ON THE USE OF THE PRECEDING YEAR'S TAX.**—

(1) **IN GENERAL.**—The table in clause (i) of section 6654(d)(1)(C) of the Internal Revenue Code of 1986 (relating to limitation on use of preceding year's tax) is amended by striking “110” and inserting “110.003”.

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

#### **SEC. 5. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA DELEGATE.**

(a) **REPEAL OF OFFICE.**—

(1) **IN GENERAL.**—Sections 202 and 204 of the District of Columbia Delegate Act (Public Law 91-405; sections 1-401 and 1-402, D.C. Official Code) are repealed, and the provisions of law amended or repealed by such sections are restored or revived as if such sections had not been enacted.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office for the One Hundred Tenth Congress.

(b) **CONFORMING AMENDMENTS TO DISTRICT OF COLUMBIA ELECTIONS CODE OF 1955.**—The District of Columbia Elections Code of 1955 is amended as follows:

(1) In section 1 (sec. 1-1001.01, D.C. Official Code), by striking “the Delegate to the House of Representatives,” and inserting “the Representative in the Congress,”.

(2) In section 2 (sec. 1-1001.02, D.C. Official Code)—

(A) by striking paragraph (6); and

(B) in paragraph (13), by striking “the Delegate to Congress for the District of Columbia,” and inserting “the Representative in the Congress,”.

(3) In section 8 (sec. 1-1001.08, D.C. Official Code)—

(A) in the heading, by striking “Delegate” and inserting “Representative”; and

(B) by striking “Delegate,” each place it appears in subsections (h)(1)(A), (i)(1), and (j)(1) and inserting “Representative in the Congress,”.

(4) In section 10 (sec. 1-1001.10, D.C. Official Code)—

(A) in subsection (a)(3)(A)—

(i) by striking “or section 206(a) of the District of Columbia Delegate Act”, and

(ii) by striking “the office of Delegate to the House of Representatives” and inserting “the office of Representative in the Congress”;

(B) in subsection (d)(1), by striking “Delegate,” each place it appears; and

(C) in subsection (d)(2)—

(i) by striking “(A) In the event” and all that follows through “term of office,” and inserting “In the event that a vacancy occurs in the office of Representative in the Congress before May 1 of the last year of the Representative's term of office,” and

(ii) by striking subparagraph (B).

(5) In section 11(a)(2) (sec. 1-1001.11(a)(2), D.C. Official Code), by striking “Delegate to the House of Representatives,” and inserting “Representative in the Congress,”.

(6) In section 15(b) (sec. 1-1001.15(b), D.C. Official Code), by striking “Delegate,” and inserting “Representative in the Congress,”.

(7) In section 17(a) (sec. 1-1001.17(a), D.C. Official Code), by striking “the Delegate to the Congress from the District of Columbia” and inserting “the Representative in the Congress”.

#### **SEC. 7. NONSEVERABILITY OF PROVISIONS.**

If any provision of this Act, or any amendment made by this Act, is declared or held invalid or unenforceable, the remaining provisions of this Act and any amendment made by this Act shall be treated and deemed invalid and shall have no force or effect of law.

The SPEAKER pro tempore. Debate shall not exceed 1 hour and 20 minutes, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 30 minutes, and the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 10 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

This is an historic moment indeed. I am honored to lead the floor management of a bill that we have been waiting so long to debate and hopefully move forward from the House of Representatives.

This is an important moment in American history. We must now act to discontinue the disenfranchisement of citizens in the Nation's Capital. We must act to complete the important unfinished business of our democracy.

All of you here are all too familiar with the struggle for D.C. voting rights. I remember Chairman Emanuel Celler, chairman of the House Judiciary Committee, when the House gave the District a vote in 1967. I remember Delegate Walter Fauntroy's and Senator Ed Brooke's pursuit of the District's representation in 1978. I have now had the privilege of working with the distinguished gentlewoman, the Delegate from the District of Columbia, ELEANOR HOLMES NORTON, a tireless, relentless, brilliant advocate of the effort that brings us here today.

Right now we are attempting to resolve what could not be resolved before, through the bipartisan efforts of so many. Mr. DAVIS of Virginia, Mr. CANNON of Utah, Mr. MATHESON and Mr. BISHOP have gotten us this far today, but I would be remiss if I did not name the former chairman of the House Judiciary Committee, JIM SENSENBRENNER, who helped bring us so close to passage of this legislation in the last Congress.

I thank all of you for the important work that has led us to this great and wonderful day.

Now, the bill before us today has a novel proposal, but it is one that we have seen before. We are now here today to finish the important work on this measure that we almost completed when we adjourned the last Congress. We are here today to finish the job.

As the only democracy in the world where citizens living in the capital city are denied their representation in the National Legislature, we come here to repair this obvious defect. Nearly 600,000 people who call the District of Columbia home, who pay taxes, who fight and die in the military, do not have a vote in the Congress. They do not have a vote in the Congress. That is what brings us here today. I am talking about people like one of its citizens, Andy Shallal, a local business owner and an Iraqi American.

Thousands of American soldiers, including District residents, have given their lives in fighting for democracy in Iraq. Because of their sacrifice, Andy can vote for the national legislature in Iraq but is denied a vote for his own Member of Congress in Washington, District of Columbia.

So District residents like Andy and all those who share the responsibilities of U.S. citizenship deserve voting representation in this Congress, and I believe that most in this body agree with me. I believe that H.R. 1433 is a sound policy response to this inequity. While some have raised questions and we have debated, we have had constitutional scholars from across the country join us in analyzing the way that we have put this measure together. I am totally and confidently satisfied that we have a bill that passes constitutional muster. We have a bill that can finally end the disenfranchisement of District residents.

The legislation relies obviously on Article I, section 8, clause 17, which provides Congress with the authority to give the District a vote. The Supreme Court has held that Congress's exclusive authority over the District is “national in the highest sense.” The D.C. Circuit Court has held that the Congress has “extraordinary and plenary power” over the District. The District of Columbia Court of Appeals has found the District Clause to be “sweeping and inclusive in character.”

Distinguished conservatives, we emphasize that this is not a partisan measure. Thoughtful scholars like Viet Dinh, judges and scholars like Ken Starr, whom I have never cited or quoted before now, and our former colleague Jack Kemp, just to name a few, agree that the Congress has the power through simple legislation to give the District of Columbia a vote.

We have used the District Clause to treat the District like a State repeatedly: for diversity jurisdiction, for 11th amendment immunity, for alcohol regulation, for interstate transportation, for apprentice labor, for the collection

of State income taxes, the list goes on and on. Surely, we cannot say that we cannot give them, the District residents, a vote in the same way that we have handled so many other matters.

I am confident that we can pair the District of Columbia with Utah and give Utah an at-large seat. Article I, section 4 gives Congress ultimate authority over Federal elections. The one person, one vote principle will be left intact. No vote will be compromised or diluted. None of their vote will be lost, nor will it be expanded. Utah voters will be given an equal opportunity to elect an at-large Representative on a temporary basis and a District Representative.

This fight has been long, 200 years too long. We can debate this issue to no end, but at the end of the day, if District residents remain disenfranchised, we ought to be ashamed. We have a sound, bipartisan proposal before us, and I am happy to entertain the discussion on both sides of the aisle that will proceed at this time.

I want to thank those of our Republican colleagues in the House who have already seen fit to make it clear that they, too, will be joining with us to make this a bipartisan solution to an old problem. I am proud to think and hope that D.C. disenfranchisement will come to an end.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I oppose this legislation because it is clearly unconstitutional. While the bill may be well-intentioned, as Members of Congress, we swear an oath to support our Constitution. We cannot gloss over its deficiencies.

At the Judiciary Committee hearing on this bill, Professor Jonathan Turley, someone the majority consults frequently for his views, said, "Permit me to be blunt, I consider this act to be the most premeditated unconstitutional act by Congress in decades."

Supporters of this bill claim Congress owes the authority to enact this bill under a broad reading of the so-called District Clause in Article I, section 8. However, Article I, section 2 says, "The House of Representatives shall be composed of Members chosen every second Year by the People of the several States." Since D.C. is not a State, it cannot have a voting Member in the House.

This was an issue that was clearly raised, debated and rejected by the Founding Fathers. Alexander Hamilton offered an amendment to the Constitution during the New York ratification convention that would have allowed Congress to provide the District with congressional representation, but his amendment was rejected by the convention on July 22, 1788.

More recently in 2000, a Federal district court here in D.C. spoke on the issue, stating, "We conclude from our

analysis of the text that the Constitution does not contemplate that the District may serve as a State for purposes of the apportionment of congressional representatives."

The House Judiciary Committee has already spoken on this point as well in the 95th Congress. Under the leadership of Democratic Chairman Peter Rodino, the Judiciary Committee reported out a constitutional amendment to do what this bill purports to be able to do by statute. The report accompanying that constitutional amendment stated the following, "If the citizens of the District are to have voting representation in the Congress, a constitutional amendment is essential; statutory action alone will not suffice."

Congress passed that constitutional amendment in 1978, but it failed to get the approval of three-quarters of the States over a 7-year period. In fact, only 16 of the 38 States required for its ratification supported the amendment.

So what is being attempted by the legislation before us today is something long recognized as requiring a constitutional amendment that the vast majority of States have already failed to approve. Proponents of this legislation cite a 1949 Supreme Court case called *Tidewater*, but the non-partisan Congressional Research Service issued a report analyzing that case. It concluded that "at least six of the Justices who participated in what appears to be the most relevant Supreme Court case, *National Mutual Insurance Co. of the District of Columbia v. Tidewater Transfer Co.*, authored opinions rejecting the proposition that Congress's power under the District Clause was sufficient to effectuate structural changes to the political structures of the Federal Government.

"Further, the remaining three judges, who found that Congress could grant diversity jurisdiction to District of Columbia citizens despite the lack of such jurisdiction in Article III, specifically limited their opinion to instances where there was no extension of any more fundamental right," such as the right to vote for a Member of Congress.

□ 1230

The unconstitutional approach of this bill is completely unnecessary. Most of the District of Columbia, other than a few Federal buildings, could simply be returned to the State of Maryland. That process of retrocession is clearly allowed by the Constitution. It would grant representation to those in Washington D.C., by a simple majority vote, and they would then have representation in both the House and Senate, an improvement over this bill that limits representation only to the House.

Any discrepancies regarding the number of electorates granted to D.C. by the 23rd amendment could easily be corrected through a constitutional amendment once D.C. Members were represented in Congress through retrocession. Madam Speaker, even con-

ceding for purposes of argument the proponents' interpretation of the vast breadth of the District clause, this bill unfairly subjects many citizens to unequal treatment.

H.R. 1433 grants Utah an additional Representative that will run at-large or statewide. The at-large provision creates a situation this country has not seen since the development of the Supreme Court's line of cases affirming the principle of "one man, one vote."

Under this provision, voters in Utah would be able to vote for two Representatives, their district representative and the at-large representative, whereas voters in every other State would only be able to vote for their one district representative. The result would be that Utah voters would have disproportionately more voting power compared to the voters of every other State.

There is no question D.C. residents have fought bravely in wars and served their country in a variety of ways. That is interesting, even heartrending, but irrelevant to whether or not this legislation is constitutional.

I also ask this House to consider the serious, practical consequences of passing this legislation. The inevitable legal challenge to this bill could produce legislative chaos by placing into doubt any future legislation passed in Congress by a one-vote margin.

Madam Speaker, I urge my colleagues to oppose this bill because it is clearly unconstitutional, and, if enacted, could lead to years of protracted legislation.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 10 seconds, and I include for the RECORD the 25 legal scholars of constitutional authority who have already weighed in on this bill, plus the former elected officials and former Senators and Members of Congress and Presidential appointees that have all examined this with great care and find that it is not constitutionally defective.

DC VOTE,

Washington, DC, March 12, 2007.

25 LEGAL SCHOLARS SUPPORT

CONSTITUTIONALITY OF DC VOTING RIGHTS

DEAR REPRESENTATIVE: DC residents pay federal income taxes, serve on juries and die in wars to defend American democracy, but they do not have voting representation in the Congress.

This lack of representation is inconsistent with our nation's core democratic principles. Justice Hugo Black put it well in *Wesberry v. Sanders* in 1964: "No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined."

Congress is currently considering granting voting rights to Americans living in Washington, DC. Lawmakers have been faced with questions about the constitutionality of extending the right to vote to residents of a "non-state."

As law professors and scholars, we would like to address these questions and put to

rest any concerns about the constitutionality of extending the right of representation to residents of the District.

While the language of the Constitution literally requires that House members be elected "by the People of the Several states," Congress has not always applied this language so literally. For example, the Uniformed and Overseas Citizens Absentee Voting Act allows U.S. citizens living abroad to vote in congressional elections in their last state of residence—even if they are no longer citizens there, pay any taxes there, or have any intent to return.

To fully protect the interests of people living in the capital, the Framers gave Congress extremely broad authority over all matters relating to the federal district under Article I, §8, clause 17 (the "District Clause"). Courts have ruled that this clause gives Congress "extraordinary and plenary power" over DC and have upheld congressional treatment of DC as a "state" for purposes of diversity jurisdiction and interstate commerce, among other things. Article III provides that courts may hear cases "between citizens of different states" (diversity jurisdiction). The Supreme Court initially ruled that under this language, DC residents could not sue residents of other states. But in 1940, Congress began treating DC as a state for this purpose—a law upheld in *D.C. v. Tidewater Transfer Co.* (1949).

The Constitution also allows Congress to regulate commerce "among the several states," which, literally, would exclude DC. But Congress' authority to treat DC as a "state" for Commerce Clause purposes was upheld in *Stoughtenburgh v. Hennick* (1889).

We believe, under the same analysis of the Constitution, that Congress has the power through "simple" legislation to provide voting representation in Congress for DC residents.

Sincerely,

Sheryll D. Cashin, Georgetown University Law Center; Viet D. Dinh, Georgetown University Law Center; Charles J. Ogletree, Harvard Law School; Jamin Raskin, American University Washington College of Law; Samuel R. Bagenstos, Washington University Law School; Brian L. Baker, San Joaquin College of Law; William W. Bratton, Georgetown University Law Center; Richard Pierre Claude, University of Maryland; Sherman Cohn, Georgetown University Law Center; Peter Edelman, Georgetown University Law Center; James Forman Jr., Georgetown University Law Center; David A. Gantz, The University of Arizona James E. Rogers College of Law.

Michael Gottesman, Georgetown University Law Center; Michael Greenberger, University of Maryland; Pat King, Georgetown University Law Center; Charles R. Lawrence III, Georgetown University Law Center; Paul Steven Miller, University of Washington School of Law; James Oldham, Georgetown University Law Center; Christopher L. Peterson, University of Florida; Levin College of Law; Robert Pitofsky, Georgetown University Law Center; David Schultz, University of Minnesota; Girardeau A. Spann, Georgetown University Law Center; Ronald S. Sullivan Jr., Yale Law School; Roger Wilkins, George Mason University; Wendy Williams, Georgetown University Law Center.

DC VOTE,

Washington, DC, March 12, 2007.

Re 25 former elected and appointed officials support DC Voting Rights Act.

DEAR MEMBER OF CONGRESS: We are writing to ask you to extend the basic American

right of voting representation in Congress to Americans living in our nation's capital.

Citizens living in Washington, DC pay federal taxes, serve on juries, and send their family members to protect our nation during times of war. They should no longer be denied the very essence of our democratic ideals.

Representative Tom Davis, Delegate Eleanor Holmes Norton, and many others have reached across party lines in crafting a bill, the District of Columbia House Voting Rights Act of 2007 (DC Voting Rights Act, H.R. 1433), which corrects this injustice by providing Washingtonians with a full voting member of the U.S. House of Representatives for the first time in the history of our country. These members of Congress should be congratulated for their principled courage and patriotism.

The time has come for all DC residents to have a vote in our national legislature. We ask that you support this bill so that Washingtonians will enjoy the fundamental, democratic right to representation—a right which, as a nation, we are promoting all around the world.

Sincerely,

Jack Kemp, Julius W. Becton, Jr., Ed Brooke, Lawrence Eagleburger, Eric Holder, Thomas P. Melady, Susan Molinari, J.C. Watts, Harris Wofford.

Clifford Alexander, Jim Blanchard, Dale Bumpers, Peter Edelman, Frank Keating, Kweisi Mfume, Sharon Pratt, Togo West.

John Anderson, Sherwood Boehlert, Tom Daschle, Alexis Herman, Timothy May, George Mitchell, Michael Steele, Anthony A. Williams.

Madam Speaker, I yield 1 minute to the distinguished majority leader.

Mr. HOYER. Madam Speaker, this important legislation, the District of Columbia House Voting Rights Act, is designed to do one thing, enfranchise Americans fully with a voting representative in the House of Representatives. I have the great honor of representing the great State of Maryland. Maryland, at the request of the Federal Government, gave some square miles of its State to our Federal Government and to the people of America.

At that time there were Marylanders living, just a few, but Marylanders living within the confines of what was to become the District of Columbia. Now, this was post-1787, so that the miracle in Philadelphia did not contemplate disenfranchising those voters in the various States, as my friend from Texas mentioned, because the residents that then became, because of the generosity of the State of Maryland, residents of that Federal district, were then residents of the several States.

Washington, D.C. is the only capital in a democracy in the world, in the entire world, that does not have a voting representative in its parliament, in the world. Clearly, the successor residents of the District of Columbia succeed residents of the several States. The continued disenfranchisement of more than half a million Americans is unconscionable, is indefensible and wrong.

Since 1801, when Washington, D.C. became this Nation's capital, the citizens of the District of Columbia have not had representation in the Congress,

not in the House of Representatives and not in the Senate. It is wrong, as a matter of principle, because District citizens pay Federal taxes, sit on juries and serve on our Armed Forces, like all other Americans who enjoy full representation in this body do.

If they move tomorrow to Maryland or to Virginia or to Texas or to California, they will be fully enfranchised. They are not second-class citizens, but the area in which they live is being treated as a second-class area, this, the Nation's capital. You cannot cite another capital in the world that does that if they allow any of their voters to be represented in a true democratic institution.

It is wrong politically, because District citizens since 1801 have effectively been a ward of Congress without the opportunity to make their voice felt on the legislation that affects only them. Ironically on this bill, we are going to again have a motion to recommit, which affects only the residents of the District of Columbia.

It is wrong, I suggest to you, morally as well, because the United States professes to have the truest form of representative government in human history. We are proud of that, rightfully so. Yet we deprive the citizens of this Nation's capital of their voice in their national legislature.

Let me add, the United States is the only representative democracy, as I have said, that does that. The absence of representation in Congress for District citizens underscores the failure of the Congress to use the authority vested in it, by the Constitution, to correct an injustice.

I want to say to my friends in this body, so many of you have voted "aye" on propositions that only recently the Supreme Court of the United States has said are unconstitutional. You put in language to say, oh, well, it's constitutional because of X, Y and Z, to try to substitute our judgment for the judgment of the Supreme Court of the United States, but repeatedly you have voted for legislation which the Supreme Court has said is unconstitutional, and you know it.

We have spent \$379 billion, 3,200 lives. We will vote tomorrow on a bill that seeks to spend \$100 billion more so that the citizens of Baghdad, the citizens of Baghdad can have a parliament in which the citizens of Baghdad have a vote; but too many will vote not to give the same right to our sisters and brothers who live in the District of Columbia.

The authority I refer to for the constitutionality of this is, of course, Article I, section 8 of the Constitution, is the so-called seat of government clause, under which "The Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever," exclusive legislation in all cases whatsoever, for as I remind you, those residents of the several States or their successors, who are now residents of the District of Columbia.

Plain and simple, this sweeping language gives Congress "extraordinary and plenary" powers over our Nation's capital city, including the authority to adopt legislation to enfranchise the District's 550,000 Americans with a full vote in this House.

I am far from alone in my view of Article I, section 8. Twenty-five legal scholars, which have just been entered into the RECORD, make that assertion.

As the chairman of the committee, I am not used to quoting Kenneth Starr, and I quote Kenneth Starr, not as the supreme expert, but certainly as not a partisan of my party.

In fact, I would remind every Member of this House, this bill was reported out of the Republican-chaired, Republican-majority Government Reform Committee just last Congress.

Mr. DAVIS is a cosponsor, not only a Republican leader, but the former chairman of a committee and former chairman of the Republican Congressional Campaign Committee, not just a back-bencher, but a leader in the party, who said this is constitutional, but in any event, it is the right thing to do.

Mr. Starr's tightly reasoned testimony before the House Government Reform Committee in 2004 in favor of the substance of today's measure should be required reading for every Member of the body who believes that somehow this may be a partisan vote. In fact, as we mentioned, we give to Utah as well, as has been historical practice, to usually do two at a time, as we did Alaska and Hawaii.

That doesn't unusually enfranchise, I would suggest, Utah's voters. I come from a State that had an at-large Representative for most of the 1960s. His name was Carlton Sickles. He lived in the county in which I grew up. He was an at-large Representative, yes, before *Reynolds v. Sims* and *Baker v. Carr*, but that was for the State legislature purposes. He was an at-large Representative in the State of Maryland. I am not sure that anybody here served with him.

We, the Members of this House, must never be seduced into thinking there is such a thing as settled injustice. Here me, settled injustice. The author of the *Dred Scott* decision was a Marylander. There is a statue of him, a bust of him, as you enter the old Supreme Court Chamber.

That was the constitutional law. It was wrong. It was wrong legally, it was wrong ethically, and it was certainly wrong morally. It is time, my friends, in this body, today, to stand up, speak out for democracy and justice for our fellow Americans. If we can fight for democracy in Baghdad, we can vote for democracy in Washington, D.C.

Mr. SMITH of Texas. Madam Speaker, I yield myself 15 seconds.

Madam Speaker, I certainly agree with the majority leader on one point that he made and that is that Washington, D.C. is distinctive. However, it is especially distinctive because it is

the only capital in the world that exists under the U.S. Constitution, and that is why this bill is unconstitutional.

Madam Speaker, I include for printing in the RECORD the Statement of Administration Policy in opposition to this bill.

STATEMENT OF ADMINISTRATION POLICY: H.R. 1433—DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

(DEL. NORTON (D) DISTRICT OF COLUMBIA AND 17 COSPONSORS)

The Administration strongly opposes passage of H.R. 1433. The bill violates the Constitution's provisions governing the composition and election of the United States Congress. Accordingly, if H.R. 1433 were presented to the President, his senior advisers would recommend that he veto the bill.

The Constitution limits representation in the House to representatives of States. Article I, Section 2 provides: "The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State legislature." The Constitution also contains 11 other provisions expressly linking congressional representation to Statehood.

The District of Columbia is not a State. Accordingly, congressional representation for the District of Columbia would require a constitutional amendment. Advocates of congressional representation for the District have long acknowledged this. As the House Judiciary Committee stated in recommending passage of such a constitutional amendment in 1975:

"If the citizens of the District are to have voting representation in the Congress, a constitutional amendment is essential; statutory action alone will not suffice. This is the case because provisions for elections of Senators and Representatives in the Constitution are stated in terms of the States, and the District of Columbia is not a State."

Courts have reached the same conclusion. In 2000, for example, a three-judge panel concluded "that the Constitution does not contemplate that the District may serve as a state for purposes of the apportionment of congressional representatives." *Adams v. Clinton*, 90 F. Supp. 2d 35, 46-47 (D.D.C. 2000). The Supreme Court affirmed that decision. And just two months ago, Congress's own Research Service found that, without a constitutional amendment, it is "likely that the Congress does not have authority to grant voting representation in the House of Representatives to the District of Columbia."

Recent claims that H.R. 1433 should be viewed as an exercise of Congress's "exclusive" legislative authority over the District of Columbia as the seat of the Federal government are not persuasive. Congress's exercise of legislative authority over the District of Columbia is qualified by other provisions of the Constitution, including the Article I requirement that representation in the House of Representatives is limited to the "several States." Congress cannot vary that constitutional requirement under the guise of the "exclusive legislation" clause, a clause that provides the same legislative authority over Federal enclaves like military bases as it does over the District.

For all the foregoing reasons, enacting H.R. 1433's extension of congressional representation to the District would be unconstitutional. It would also call into question (by subjecting to constitutional challenge in the courts) the validity of all legislation passed by the reconstituted House of Representatives.

Madam Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), a former chairman of the Judiciary Committee.

Mr. SENSENBRENNER. Madam Speaker, the Judiciary Committee is supposed to be the legislative guardian of the Constitution. Unfortunately in this instance, the majority gets an F. This bill is fraught with constitutional questions.

All I need to do is to go back to the report that was issued by then-Chairman Peter Rodino, a Democratic and a liberal icon, when he reported out a constitutional amendment enfranchising the District of Columbia in 1978. That committee report clearly said that giving a vote to the representative of the District of Columbia in this House could not be done statutorily.

□ 1245

And that is exactly what is happening today. And not only can't it be done statutorily, but the Rules Committee last night played a partisan card. It rejected all proposed amendments, including constructive amendments that eliminate some of the legal and constitutional problems relating to the at-large seat in Utah, as well as an amendment offered by my friend from Texas (Mr. SMITH) to have an expedited review of the United States Supreme Court, a review that we gave to the McCain-Feingold law on campaign finance.

There are constitutional questions on this issue. And in the year 2000, the Federal court of D.C. expressly said that, "We conclude from our analysis that the text of the Constitution does not contemplate that the District may serve as a State for purposes of apportionment of congressional representatives." That case was *Adams v. Clinton* that was decided in the year 2000. Now, that was the more recent case than the *Tidewater* case which is being used by the proponents of this legislation as saying that the District clause allows us to do this.

Now, rather than enfranchising the citizens of the District in a constitutionally questionable manner, why not do it in a way that is very clearly constitutional? There are three ways to do this, all of which have been rejected by the majority. One is to repropose the amendment to the Constitution which failed in 1978. Second is to admit the non-Federal part of the District as a separate State, with two Senators and two Representatives. That was rejected in 1993, but could be reintroduced. And the third is to retrocede the non-Federal part of the District to Maryland. We can do it the right way. Those are the right ways; this is the wrong way.

Mr. CONYERS. Madam Speaker, I yield myself 30 seconds to point out that a constitutional amendment could take 10 years, who knows, to have a part of a State ceded back. The three methods that have been suggested by

the former chairman of Judiciary Committee, who has worked very hard on this, are, in effect, impractical.

Madam Speaker, I am pleased now to recognize the chairman of the Constitutional Subcommittee on the Judiciary, Mr. NADLER, who has done extraordinary work in this regard, 5 minutes.

Mr. NADLER. Madam Speaker, it is a disgrace, a blot on our Nation that the citizens of our Capital do not have a voice in Congress.

Whatever technical issues there may be with respect to rectifying this problem, we must never lose sight of the fact that our democracy is permanently stained by the disenfranchisement of a large group of our citizens who pay taxes, serve in our wars, work in our government, and bear all the responsibilities, but do not have all the rights of citizenship.

Whether you took a cab to work today or rode the Metro or bought a cup of coffee or walked down the sidewalk or were protected by a police officer, your safety, your livelihood, every aspect of your life was made possible by people who have no vote in our democratic society. There is no excuse for that.

Now, we have heard from people who say, well, we should change this, but let's amend the Constitution. We have tried that. Very difficult.

We have heard from people who say, well, we should change this, but let's do it another way that will take forever and that haven't worked. This way we are told, doing it by statute, giving the District of Columbia a vote in the House by statute, is unconstitutional.

Well, it is not unconstitutional. The fact is the Constitution says that the Congress shall have power to exercise exclusive legislation in all cases whatsoever over such District, as may, by cession of particular States, become the seat of the Government of the United States. Exclusive jurisdiction. Very plenary power.

The Constitution also says in Article III, discussing the powers of Federal courts: The judicial power shall extend to controversies between citizens of different States, so-called diversity jurisdiction.

One of the earlier cases cited by the Supreme Court was that citizens of the District of Columbia have standing to go into Federal court and sue citizens of a different State, of any State under diversity jurisdiction, because the District of Columbia, for that purpose at least, is considered a State, and the Supreme Court was very clear on this. And if the District of Columbia is a State for purposes of diversity jurisdiction under Article III of the Constitution, there is no reason why Congress cannot take advantage of that fact and legislate under its exclusive jurisdiction clause that the District of Columbia is a State for purposes of representation in the House of Representatives.

The judicial cases are fairly clear. We have ample constitutional authority to

do this, and we should take that up. Let those who are opposed to American citizens having taxation without representation, let those who are supportive of American citizens be subjected to taxation without representation, let those who are opposed to American citizens having the full rights of citizens, let them go to court and argue that it is unconstitutional. Let us assert our authority, because we believe it is constitutional. The courts will ultimately decide if the Bush administration continues to oppose this bill and has threatened to veto.

What I don't hear from the administration is any concern about the injustice of depriving D.C. citizens of the right to vote, which speaks volumes about the administration's hostility to voting rights.

If we are to have the audacity to hold ourselves out to the world as a beacon of freedom and democracy, if we want to lecture other countries about the importance of freedom and democracy, as this Congress and the President regularly seek to do, we need to clean up our own House. I urge passage of this bill.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from California, Mr. DANIEL E. LUNGREN, a member of the Judiciary Committee and a former attorney general of the State of California.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, after listening to several Members on the other side of the aisle, I can only come to one conclusion; and that is, the U.S. Constitution is an inconvenient thing.

We have heard that it may take too long to do it the constitutional way. We have even heard suggested here that, if you oppose this, you are against voting rights.

Well, as a former prosecutor, I can tell you I am absolutely, morally convinced of certain people who are not convicted of crimes they committed because of constitutional protections given them during trial; the Constitution was inconvenient, the Constitution did not allow us to do justice. But the Constitution prevailed, because if we ignore the Constitution, we ignore the very compact which is the basis of our relationship with our government. The vote today is more about the representational status of the District of Columbia in this body. It goes to the heart of constitutional governance.

Some in this House would have us believe that the Constitution is so sophisticated, so foreign, so strange that the words used, that only a few people can define its meaning, that the people of America are not capable of understanding the words of the Constitution, and, therefore, we should genuflect at the altar of the elite.

Well, let's look at the words. Article I, section 2 states very simply: The House of Representatives shall be composed of Members chosen by the people of the several States. By the people of the several States.

It says in Article I, section 2: No person shall be a representative who shall not have attained the age of 25, been 7 years a citizens of the United States, and who shall not when elected be an inhabitant of the State in which he shall be chosen.

Madam Speaker, those words are so simple, and yet we try to make them so complicated. Let's at least uphold the Constitution in this debate.

Mr. CONYERS. Madam Speaker, I yield myself 15 seconds. I refer the former attorney general of the State of California to the list we have right now about 10 decisions in which reviews, under the constitutional authority, D.C. as a State.

Madam Speaker, I am pleased now to yield 5 minutes to the distinguished lady, a member of the committee and who has served with great distinction on the House Judiciary Committee for constitutional questions, SHEILA JACKSON-LEE of Houston, Texas.

Ms. JACKSON-LEE of Texas. Mr. CONYERS, may I pay tribute to you? It gives me such a privilege to be able to come to this floor with you as the chairperson of the House Judiciary Committee, along with the ranking member, who is a friend and colleague from Texas. But it is a special honor, and it humbles many of us, because a lot of us were not here for the debate on the Civil Rights Act of 1964 and the Voter Rights Act of 1965. Many Americans think that that bill only pertains and helps people of color, but really what it does is it restores that legislation, the value and the preciousness of the right to vote for all Americans. I am gratified that Chairman CONYERS, who has a history with restoring the rights of Americans to vote, now finds himself on the floor in the doorway of history to be able to reaffirm the Constitution.

And I heard my good friend, and I am glad that you will hear from my colleague from Texas, Congressman AL GREEN, who spent a few days on the bench and I think would recognize a Constitution when he would see it. But I think this is important, because if the American people are listening, there is some suggestion, what kind of irreverent actions are occurring on this floor? Why are we ignoring the Constitution? And I take great umbrage with that. I am sensitive to that. My very fabric of my existence is embedded in the 13th, 14th, and 15th amendment. I want the Constitution to be cherished, and I want it to be right.

So let me just recount for you why we can move from one section to the next, and it relates to the constitutionality of what we are doing. And I would only hope that my friends would not be rejecting this bill because, in fact, it is the District of Columbia. And let me remind America that Utah is given an opportunity for its citizens to be represented.

But in 1820, the Supreme Court held that Congress could impose Federal taxes on the District, and it was related to the provision in here that says



representatives and direct taxes shall be apportioned among the several States. So we tax them based upon language in the Constitution that they equal the States.

Then in 1889, the Supreme Court found that the constitutional prohibition against State laws that interfere with commerce applies to States and the District of Columbia, again equating the District of Columbia to States.

And then in 1934, the Supreme Court found that Congress could treat the District of Columbia as a State.

So in the Constitution it says that: The House of Representatives shall be composed of Members chosen every second year by the people of several States.

But it also says that this Congress has jurisdiction in clause 17 under section 8 over the District of Columbia, and that is what we are doing here today. We are correcting a wrong, an ill. We are correcting a disease. We are equating this city to the rights of Iraqis, who are now able to vote for all of those they want to vote for, albeit it is in a troubled situation.

And so I would simply commend my colleagues to this, and to suggest that there was something wrong in the rule for not asking for an expedited Supreme Court review, my friends, the Supreme Court will be able to deliberate on this particular legislation in due time and be able to render a decision and expedited request warrants or suggests there should be a crisis. There was not an expedited request in the election of 2000, and the Supreme Court decided it in 4 or 5 days. For me, that was an emergency.

Mr. CONYERS. Madam Speaker, if the gentlelady will yield, I ask her, why would we be asking for special standing, we in the Congress? Why would we be asking for an expedited review? Can't the courts decide who gets either of those two special privileges to come to the front of the line?

□ 1300

Ms. JACKSON-LEE of Texas. Let me thank the gentleman for his inquiry. He made a very good point: can't the courts reconcile the issues between the two parties on their own expedited time. They can. And that is the example I used with the issue in the election of 2000. As you well know, that case, *Gore v. Bush*, went to the United States Supreme Court on their own expediting, and a decision was made between four or five days.

My friends, this is a smoke-and-mirror issue. We welcome the Supreme Court's review. But today, we are holding up the Constitution, and I hope that as we hold it up, we will reflect upon those whose blood has been shed on behalf of this country, that we are giving them the right to vote legally, and under the Constitution.

Madam Speaker, I rise in strong support of H.R. 1433, the District of Columbia House Voting Rights Act of 2007, and thank the chairman of the Judiciary Committee for his

leadership in shepherding this important piece of legislation to the floor. Today we remove a stain that has blighted our Nation for more than 200 years of shame and correct an injustice to the citizens of the District of Columbia.

H.R. 1433 would permanently expand the U.S. House of Representatives from 435 to 437 seats, providing a new, at-large seat to Utah and a vote to the District of Columbia. Based on the 2000 Census, Utah is the State next in line to enlarge its congressional delegation. The bill does not give the District statehood, nor does it give the District representation in the Senate. Rather, in H.R. 1433 Congress is simply treating the District as a congressional district for the purposes of granting full House representation, as it can pursuant to the grant of plenary power over the District of Columbia conferred by the Constitution in article I, section 8, clause 17.

At the outset, let me address the claim that H.R. 1433 is a weak foundation upon which to base the District's voting rights in the House because it is a statutory rather than a constitutionally based remedy. The argument should be rejected for the simple reason that it makes the perfect the enemy of the good. It is like asking a person to remain homeless while she saves to buy a house even though she has enough money to rent an apartment.

Madam Speaker, let us not lose sight of one indisputable and shameful fact: Nearly 500,000 people living in the District of Columbia lack direct voting representation in the House of Representatives and Senate. Residents of the District of Columbia serve in the military, pay billions of dollars in Federal taxes each year, and assume other responsibilities of U.S. citizenship. For over 200 years, the District has been denied voting representation in Congress—the entity that has ultimate authority over all aspects of the city's legislative, executive, and judicial functions.

Madam Speaker, if a person can be called upon to pay Federal taxes and serve in the Armed Forces of the United States, then he or she should at least have the opportunity to vote for a representative who could at least cast a symbolic vote in this Chamber on critical matters facing our Nation—issues like war and peace, equality and justice.

Madam Speaker, taxation without representation is tyranny. It is unconscionable that more than a half million American citizens are being unconscionably denied a vote and a voice in the most important legislative body in the world.

As a supporter of freedom, democracy, and equality, I believe that it is long overdue for the citizens of the District of Columbia to have a Representative in Congress who can vote on the vital legislation considered in this body.

Madam Speaker, it is wrong that we must be reminded daily by license plates in the District of Columbia that "Taxation without representation is tyranny." The people in Boston felt so strongly about this in 1775 that they rebelled in Boston Harbor, launching the "Boston Tea Party."

The principle that political authority derives from the consent of the government is no less applicable when it comes to the District of Columbia. Let us be clear. There is no dispute that hundreds of thousands of American citizens reside in the District of Columbia. We all agree that universal suffrage is the hallmark of a democratic regime, of which the United States is the world's leading exemplar.

None of us believes it is fair that citizens of the District of Columbia pay Federal taxes, risk life and limb fighting wars abroad to protect American democracy and extend the blessings of liberty to people living in foreign lands. In short, there is no moral reason to deny the citizens of the District of Columbia the right to full representation in Congress. The only question is whether Congress has the will and the constitutional authority to do so. As I will discuss, Congress has always had the constitutional authority. For the last 12 years, we have not had the will; but now we do.

#### CONGRESS CAN GRANT VOTING RIGHTS TO THE DISTRICT UNDER THE DISTRICT CLAUSE

As Professor Dinh argued in his powerful testimony before this Committee, Congress has ample constitutional authority to enact H.R. 1433 under the Constitution's "District Clause." Art. I, § 8, cl. 17. The District Clause empowers Congress to "exercise exclusive Legislation in all Cases whatsoever, over such District" and thus grants Congress plenary and exclusive authority to legislate all matters concerning the District. The text, history and structure of the Constitution, as well as judicial decisions and pronouncements in analogous or related contexts, confirms that this broad legislative authority extends to the granting of congressional voting rights for District residents.

The District Clause, which has been described by no less a constitutional authority as Judge Kenneth Starr as "majestic in its scope," gives Congress plenary and exclusive power to legislate for the District. Courts have held that the District Clause is "sweeping and inclusive in character" and gives Congress "extraordinary and plenary power" over the District. It empowers Congress to legislate within the District for "every proper purpose of government." Congress therefore possesses "full and unlimited jurisdiction to provide for the general welfare of citizens within the District of Columbia by any and every act of legislation which it may deem conducive to that end," subject, of course, to the negative prohibitions of the Constitution.

Although, the District is not a State for purposes of Congress's article I, section 2, clause 1, which states that Members of the House are chosen "by the people of the several States," this fact is not dispositive of Congress's authority under the District Clause to give residents of the District the same rights as citizens of a State. Since 1805, the Supreme Court has recognized that Congress has the authority to treat the District like a State, and Congress has repeatedly exercised this authority. No court has ever sustained a challenge to Congress's exercise of its power under the District Clause.

Two related Supreme Court cases illustrate this point. In *Hepburn v. Elzey*, 6 U.S. 445 (1805), the Court held that the diversity jurisdiction provision of article III, section 2 of the U.S. Constitution excluded citizens of the District of Columbia. The Court observed, however, that it was "extraordinary" that residents of the District should be denied the same access to Federal courts provided to aliens and State residents, and invited Congress to craft a solution, noting that the matter was "a subject for legislative, not judicial consideration."

Congress accepted that invitation 145 years later and enacted legislation that explicitly granted District residents access to Federal



courts on diversity grounds. That legislation was upheld by the Supreme Court in 1949 in *National Mutual Insurance Company v. Tidewater Transfer Company*, 337 U.S. 582 (1949). A plurality of the Court led by Justice Jackson held that Congress could for this purpose treat District residents as though they were State residents pursuant to its authority under the District Clause. The two concurring justices would have gone even further; they argued that Hepburn should be overruled and that the District should be considered a State for purposes of Article III.

Tidewater strongly supports Congress's authority to provide the District a House Representative via simple legislation. As the plurality explained, because Congress unquestionably had the greater power to provide District residents diversity-based jurisdiction in special article I courts, it surely could accomplish the more limited result of granting District residents diversity-based access to existing article III courts. Similarly, Congress's authority to grant the District full rights of statehood—or grant its residents voting rights through retrocession—by simple legislation suggests that it may, by simple legislation, take the more modest step of providing citizens of the District with a voice in the House of Representatives. Indeed, since Congress has granted voting representation to residents of Federal enclaves in *Evans v. Cornman*, 398 U.S. 419 (1970), and to Americans living abroad through the Overseas Voting Act, there is no reason to suppose that Congress has less ability to provide voting representation to the residents of the Nation's capital.

#### II. CONGRESS MAY DIRECT THE NEXT-ENTITLED STATE TO ELECT ITS ADDITIONAL REPRESENTATIVE AT LARGE

H.R. 1433 also grants an additional congressional seat to the State of Utah as the next-entitled State and directs that State to elect its additional Representative at large, rather than creating an additional single-Member district. Congress plainly has the authority to do so. This statutory scheme does not violate the “one person, one vote” principle.

As the Supreme Court held in *Wesberry v. Sanders*, 376 U.S. 1 (1964), “the command of Article I, Section 2 [of the Constitution], that Representatives be chosen ‘by the People of the Several States’ means that as nearly as is practicable one man’s vote in a congressional election is to be worth as much as another’s.” In that case the Court struck down a Georgia apportionment statute because it created a congressional district that had two-to-three times as many residents as Georgia’s nine other congressional districts. The Court stated:

The apportionment statute thus contracts the value of some votes and expands that of others. If the Federal Constitution intends that when qualified voters elect members of Congress each vote be given as much weight as any other vote, then this statute cannot stand.

“One person, one vote” concerns arise when congressional districts within a State contain different numbers of residents, diluting the voting power of residents in the district with more residents. In contrast, here the proposed temporary “at large” district in Utah does not dilute the voting power of any Utah voter.

When Utah holds its at-large election for the new fourth seat, Utah voters may cast a vote in their existing district and in the statewide election for the fourth seat. While it is true that

the statewide “at large” district will necessarily contain more residents than the other districts, the establishment of that “at large” district would create no constitutional dilution concerns. Each person’s vote in the “at large” district would have equal influence, and the opportunity to cast that vote would not alter in any way the value of that person’s vote in her own smaller district.

Nor does a potential “one person, one vote” challenge arise on the ground that Utah residents vote in two elections while residents of other States with single-member districts would vote only once. First, the Supreme Court has never held that the “one person, one vote” principle applies to the apportionment process. Indeed, the Court has held that Congress is entitled to substantial deference in its apportionment decisions. Second, the proposed at-large election does not give residents of the State more or less voting power than the residents of States with single-Member districts. The example cited by Richard Bress, one of the witnesses who testified before the Judiciary Committee in support of the bill, illustrates why this is so.

Suppose that State A and State B have roughly the same population and are each entitled to four Representatives. State A holds an at-large election for all four of its Representatives, while State B divides its Representatives and voters into four districts. State A’s statewide district would have a population four times the size of each district in State B. As compared to the single-district voter in State B, the “at-large” voter in State A has a one-fourth interest in each of four Representatives. The single-district voter in State B has a whole interest in one Representative. But in both scenarios, each voter has, in the aggregate, one whole voting interest.

Similarly, as compared to a State with four single-Member districts, the voters in Utah’s existing three districts would have proportionately less influence in the election of the Representative from their own district, but would gain a fractional interest in the State’s at-large Representative. In short, Utah residents would have no more—and no less—voting power than residents of any other State.

#### III. CONCLUSION

For these reasons, I believe H.R. 1433 is constitutionally unassailable. Granting voting rights to the citizens of the District of Columbia is a matter of simple justice. I know it is morally right. It is also long overdue. Let us end this injustice and be true to the better angels of our nature. I urge all Members to join me in voting for H.R. 1433.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Judiciary Committee and the deputy and ranking member of the Crime Subcommittee.

Mr. GOHMERT. Madam Speaker, it is important to look at the words of the Constitution themselves. It says very clearly, and this is Article I, section 2. This is what talks about who will comprise the House of Representatives, who will comprise the Congress. It says “it shall be composed of members that come from the several States.” It is very clear.

Now, all of the people that testified before the Judiciary Committee who were supporting this amendment

through legislation said, well, they base that on section 8, which says we can exercise exclusive legislation over the district. But once you open that door you have opened Pandora’s box, because that same clause, that same paragraph says, exercise like authority over all places, that should include things like places where we have forts, magazines, arsenals, dark yards and other needful buildings. Once you go there, then every military institution in America could have a representative. Every needful Federal building in America could have a representative. That is what happens when you start bending and twisting the Constitution.

Now, these arguments were had when the Constitution was written. Alexander Hamilton lost. And there is a good position that people should be able to elect their representative, and that was discussed. But I would submit to you that Washington, D.C. is also the only city in the entire country that every Senator and every Member of Congress has a vested interest in seeing that it works properly, that water works, sewer works, and no other city in America has that.

In conclusion, let me just say, south of Columbus, Georgia, used to be an old blacksmith iron work shop with a sign above the door that said “All types of bending and twisting done here.” And I would humbly submit the Constitution should not have the same sign on the front of it. The Constitution is clear. Let’s don’t bend and twist it.

Mr. CONYERS. Madam Speaker, I yield myself 1 minute because the speaker from Texas, Mr. GOHMERT, a valuable member of Judiciary, a highly praised judge, and a supporter of gun rights too, incidentally ignores a decision that just came out of the federal court, just recently, within weeks, *Parker v. Williams*, which held that the second amendment renders the District’s gun ban unconstitutional—which I was sorry to hear, but he probably wasn’t—in that “a well regulated militia being necessary to the security of a free State, the right of the people to bear arms shall not be infringed.”

The court held that D.C. was a State for purposes of the Constitution’s second amendment.

Madam Speaker, I reserve the rest of my time.

The gentlelady from Los Angeles, California, has come upon the floor. I know she wants to speak on this, and I recognize MAXINE WATERS from California for 3 minutes on this subject.

Ms. WATERS. Thank you so very much, Madam Speaker, and Chairman JOHN CONYERS.

A lot of people want to know what difference does it make that Democrats are now in the majority. This is a fine example. Chairman CONYERS and others have been working on this issue for so very long.

And I rise in support of H.R. 1433, the District of Columbia House Voting Rights Act of 2007, of which I am a proud cosponsor.

In a country where basic human and civil rights were only incrementally given to similarly situated citizens throughout its history, I applaud my colleagues for their courage and integrity to consider this measure and support its passage after 200 years of injustice.

I thank the gentlelady from the District of Columbia (Ms. NORTON) and the gentleman from Virginia (Mr. TOM DAVIS) for their leadership and tenacity. Ms. NORTON has consistently fought for the 16 years since she was first elected to Congress as my classmate in the 102nd Congress.

Just like securing the right to vote, or securing civil rights, for that matter, for African Americans, women and other minorities was a long fight with slow rewards, seeking the franchisement of D.C. citizens has been equally as difficult.

Just as it was shameful and unconscionable for African Americans and women to not have a vote until the passage of the 19th amendment, and of the 1965 Voting Rights Act, it is unconscionable for tax-paying citizens in America not to have a vote in Congress in the 21st century.

It is even more ironic that D.C. citizens have no vote in Congress when it operates right in their back yard. To discriminate against tax-paying citizens for over 200 years is an embarrassment to our democracy and undermines fundamental constitutional principles.

Nowhere in the United States Constitution is the word "State" defined, but some of our colleagues now wish to gerrymander a definition that would somehow distinguish citizens of D.C. from citizens of every other voting State.

Furthermore, not only does the guaranty clause, which reads that "the United States shall guarantee a republican form of government," but the fifth amendment equal protection clause, which insures that all persons of the United States enjoy equal protection of the laws, make it clear that D.C. citizens should receive voting representation.

Article IV, section 4 of the Constitution guarantees us a republican form of government. And the Supreme Court has defined a republican form of government as one constructed on the principle that the superior power resides in the body of the people. Are D.C. citizens not a part of the people?

Mr. Chairman, in this new Congress we hope to rid America of all traces of disenfranchisement, of impediments to voting. And giving D.C. residents a vote in the Congress is a major part of this goal.

I thank you, Congressman JOHN CONYERS, for your leadership.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to my friend from Virginia (Mr. GOODLATTE), a senior member of the Judiciary Committee.

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Madam Speaker, I rise in opposition to H.R. 1433, the District of Columbia Voting Rights Act.

There is no doubt that citizens of the District of Columbia do not have a full voting representation in the House of Representatives. However, there are ways that these individuals can receive representation without trampling on the Constitution. Unfortunately, this bill is not one of them.

The Constitution does not mince words when it says that Members of Congress may only be elected from the States. Article I, section 2 states that the House of Representatives shall be composed of Members chosen every second year by the people of the several States.

The Constitution also does not mince words when it distinguishes the District of Columbia from a State. In describing the powers of the Congress, Article I, section 8 describes the seat of Federal Government as a district, not exceeding 10 miles square, as made by cessation of particular States and the acceptance of Congress, become the seat of government of the United States.

Furthermore, the text of the 23rd amendment to the Constitution further illustrates that the District was never meant to have the same rights as States. Specifically, it grants D.C. the power to appoint a number of electors, a President and Vice President, equal to the whole number of Senators and Representatives in Congress to which the district would be entitled if it were a State.

The plain language of the Constitution is clear, that D.C. is not a State and that it is not granted the same rights as States. However, the constitutional problems with this bill do not end here. The bill would also establish an at-large representative for Utah, which would allow the citizens of Utah to vote twice, once for their local representative and another time for an at-large representative. This would clearly violate the constitutional principle of one man-one vote by granting Utah citizens disproportionately large voting power.

Finally, the procedure for bringing this bill to the floor is appalling. Debate has been eliminated on a bill that affects the relative voting power of citizens in each of our congressional districts. Ranking Member SMITH offered an amendment which would have provided for an expedited judicial review.

I urge my colleagues to vote against this legislation which is clearly unconstitutional.

I rise in opposition to H.R. 1433, the District of Columbia house voting rights act.

There is no doubt that citizens of D.C. do not have a full voting representative in the house of Representatives. However, there are ways that these individuals can receive representation without trampling on the Constitution. Unfortunately, this bill is not one of them.

The Constitution does not mince words when it says that members of Congress may

only be elected from the states. Article I Section 2 states that "The House of Representatives shall be composed of members chosen every second year by the people of the several States." The Constitution also does not mince words when it distinguishes the District of Columbia from a State. In describing the powers of the Congress, Article I Section 8 describes the seat of Federal Government as a "District (not exceeding ten miles square) as may, by cessation of particular states, and the acceptance of Congress, become the seat of government of the United States."

Furthermore, the text of the 23rd amendment to the Constitution further illustrates that the district was never meant to have the same rights as States. Specifically, it grants D.C. the power to appoint "a number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State. . ."

The plain language of the Constitution is clear that D.C. is not a State and that it is not granted the same rights as States. However, the Constitutional problems with this bill do not end here. The bill would also establish an at-large representative for Utah, which would allow the citizens of Utah to vote twice—once for their local representative and another time for an at-large representative. This would clearly violate the Constitutional principle of "one man, one vote" by granting Utah citizens disproportionately large voting power.

Finally, the procedure for bringing this bill to the floor is appalling. Debate has been eliminated on a bill that affects the relative voting power of citizens in each of our congressional districts. Ranking member SMITH offered an amendment which would have provided for an expedited judicial review of the bill after it is enacted, to determine its constitutionality. It is revealing that the majority decided to block that amendment which would have settled the Constitutional concerns about this legislation.

For all these reasons, I urge my colleagues to oppose this ill-crafted legislation.

Mr. CONYERS. Madam Speaker, I reserve my time.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA), a member of the Judiciary Committee and also a member of its Constitution Subcommittee.

(Mr. ISSA asked and was given permission to revise and extend his remarks.)

Mr. ISSA. Madam Speaker, it is an unusual day in which the cosponsor of a bill, not in just this Congress but in the previous Congress, comes to oppose the final passage. It is not that I object to the people of the District of Columbia gaining a vote in this body, just the opposite. For two Congresses I have worked with Chairman DAVIS, now Ranking Member DAVIS, to achieve that.

It is that, for whatever reason, in this Democratically controlled Congress, we have lost democracy. In the regular order of the two committees, amendments were offered, some were passed, some failed. One that was passed was one of mine. It intended to make clear the Maryland relationship to the District of Columbia. It was a

fairly small technical amendment. The Democrat majority, led by Speaker PELOSI, chose to strip that out of what was brought to the floor, to my amazement, but not amusement. And then when I offered the same amendment to the Rules Committee, they voted not to allow it. So that which was voted in the committee of jurisdiction was stripped out by the leadership and then refused to be considered in the body of the whole. That is without any democratic fairness.

I am not here to complain about process. I believed it was an essential piece of language when this legislation was considered. So without it, I feel I am compelled not only to vote against it, but to seek alternate remedies for future legislation.

We cannot, in this body, Madam Speaker, allow the Speaker of the House or the House majority leader to simply eliminate the tradition of how we do business in order to reach democratically produced legislation. So I will be voting against this bill, and it will be a vote against the kind of heavy-handedness that led to this bill being less than it could have been.

Mr. CONYERS. Madam Speaker, we continue to reserve time.

Mr. SMITH of Texas. Madam Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. JORDAN), a valued member of the Judiciary Committee.

Mr. JORDAN of Ohio. Madam Speaker, the United States of America is the greatest Nation in human history. And that is due to a number of reasons, number of facts, number of truths that make that so. But certainly, one of those is the document we call the United States Constitution. And on giving the District of Columbia a voting Member in Congress, the United States Constitution could not be more clear. And let me just read what other Members have read: "Article I, section 2, the House of Representatives shall be composed of Members chosen every second year by the people of the several States. No person shall be a Representative who shall not have attained to the age of 25 years and have been 7 years a citizen of the United States and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. Further, when vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies."

State, State, State. Three different times the word State is used. The District of Columbia is not a State. I can't help that inconvenient fact, as someone has said earlier. But those are the facts. You don't have to be a lawyer. You don't have to be a judge. You don't have to sit on the Supreme Court to understand what the Constitution says.

This bill is unconstitutional, and that is why I oppose it.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING), another valued member of the Judiciary Committee,

and also the ranking member of one of its subcommittees.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman, and ranking member, Mr. SMITH, for yielding and for his leadership on this issue.

I come to the floor here to stand up for this Constitution. That is my oath as it is all of our oaths here. We all stand here on the floor of Congress and take an oath to this Constitution, Madam Speaker. And the language in this Constitution has been many times stated. It is utterly clear. But I want to draw a distinction here that has not been emphasized very much and that is that if you can rationalize that the District of Columbia can constitutionally be conferred a Member by this Congress, then you also have to rationalize that same rationale that two Senators can be conferred upon the District of Columbia as well.

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And I point your attention to, Madam Speaker, Article I, section 2 and the operative language: "The House of Representatives shall be composed of Members chosen every second year by," and this is the distinct language, "by the people of the several States."

In Article I, section 3, when you incorporate the 17th amendment into it, reads: "The Senate of the United States shall be composed of two Senators from each State," just like a Member chosen by the State, but elected by the people thereof; elected by the people thereof in section 3; chosen by the people of the several States in section 2. They each reference "States." There is not a distinction. If you can constitutionally confer a Member of Congress, you can do the same thing for Senators.

And I would point out also that a couple of bright legal minds that have weighed in on this, Ken Starr and Viet Dinh, people whom I do respect, also I believe they made an argument that is taught in law school: How do you analyze both sides of the argument so you can make both sides or defend either side?

And I think it is just an utterly weak argument that they made. And the simple principle was that between 1791 and 1801, that 10-year period of time, Virginia and Maryland, those residents that existed and lived in this District that was contemplated by the Framers of the Constitution were granted temporarily the right to vote in their respective States until such time as this Federal jurisdiction was established.

Just because there is consensus agreement among the House, the Senate, and the President does not constitute a constitutional principle.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Madam Speaker, as chairman of the Congressional Constitution Caucus and as a Representative of the State of New

Jersey, I come to the floor to strongly oppose this unconstitutional taking away, diminution, and reducing of voting rights for citizens of my district in the State of New Jersey.

The sponsors of the bill do this in order to accommodate the equally unconstitutional creation of voting rights in an area of this country that is not a State. And it has been pointed out already that there is a legal and constitutional manner to enfranchise these people of the District of Columbia.

But in section 4.5 of the bill, the sponsor gives some citizens of another State, Utah, two votes in Congress for every one vote for my citizens in the State of New Jersey.

The Founding Fathers of this Nation never intended that one State would be more equal than another State. The Founding Fathers of this country never intended that Congress could strip away rights to vote from my State to give it to another. The Founding Fathers never intended that Congress would create a situation that one State would be second class to another State.

I urge my colleagues from New Jersey to vote against this bill.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to my colleague from Texas (Mr. POE).

Mr. POE. Madam Speaker, I am glad that we are finally discussing the U.S. Constitution. So much legislation goes through this House from both sides where the Constitution is never mentioned as to whether it is constitutional or not.

No question about it: the folks in Washington, D.C. ought to be represented in the House. But the Constitution does not allow it except by constitutional amendment. And history is on the side of what I say.

The 23rd amendment to the Constitution that was approved in 1961 gives the District of Columbia and the people here representation or voting in the Presidential election by giving them three electors. It took a constitutional amendment to give them that right. The arguments were made then that are being made now. D.C. was not a State in 1961 any more than it is a State today.

So let us proceed. Let us proceed with a constitutional amendment if need be and give the folks in Washington, D.C. a representation in this House of Representatives. But do it the right way. Do it the constitutional way, not by just some legislation of Congress.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. REGULA), a senior Member of this body.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Madam Speaker, I have a little bit different approach to this. I have been introducing a bill in several sessions which would provide for retrocession of the city of Washington, D.C. minus the Federal portion

to the State of Maryland. This would give the people who reside in Washington, D.C. a chance to vote on Senators. It would give them a chance to vote on legislators. It would give the people who live here a chance to participate in the university system, the highway system, economic development. A lot of things would accrue to the benefit of the people if we would have retrocession of the city minus the Federal portion.

There is precedent for this in the fact that originally we had a portion of it retrocede to Virginia, and I think retroceding the balance to Maryland would make a lot of sense for the people. It would give them what they are seeking, which would be a vote not just for Congress but for Senators, for the legislators, and it would be a way in which they could more effectively participate.

Madam Speaker, I rise in opposition to this legislation. I want to be clear, however, that I have long been an advocate of voting rights for the residents of the District of Columbia. Beginning with my service on the DC Appropriations Subcommittee in 1987, I have been keenly aware of this unfair situation within our democracy. Virtually every Congress since then I have introduced legislation that would give the District of Columbia residents representation in Congress. Voting is a privilege that our founding fathers intended every American to have, and giving this right to DC residents is a matter of doing what is right. Yet 200 years have passed since DC residents lost their voting rights and they continue to express dissatisfaction over their lack of voting representation in Congress.

Because of this frustrating situation and the numerous failed attempts to grant DC either statehood or a voting representative, I have advocated for a simple, sound and proven process to give DC residents voting rights. This process is known as retrocession or reunion. Through this process, the District, barring a small Federal enclave, would be returned to the State of Maryland, which originally ceded the land in 1790.

Retrocession would be beneficial for both the District and Maryland. The voting rights issue would be resolved, as DC residents would gain not only a voting representative in the House of Representatives but also two in the United States Senate. The residents also would gain new representation on the State level and enjoy access to Maryland's State infrastructure, facilities and assistance programs. On a very local level, Washington, as a city in a state, would regain the local decision-making authority it has been seeking for so long.

Conversely, by gaining the District's nearly 600,000 residents, Maryland would gain a seat in the House and extend its influence in Congress. With the Nation's 2nd highest per capita income, District residents would enhance Maryland's tax base and help create the 4th largest regional market in the country.

Canada offers a prime example of how this proposal could work. Its capital, Ottawa, lies in the province of Ontario and sends representatives to the provincial parliament in Toronto as well as the federal parliament as part of the Ontario delegation. Also, in 1790, Alexandria, Virginia was in a similar position to DC. Alex-

andria was included in the area chosen by George Washington to become the District of Columbia. A portion of the City of Alexandria and all of today's Arlington County share the distinction of having been originally in Virginia, ceded to the U.S. Government to form the District of Columbia, and later retroceded to Virginia by the Federal Government in 1846, when the District was reduced in size to exclude the portion south of the Potomac River.

I believe this framework is the most logical and constitutionally sound way to give DC residents the voting rights they deserve. Additionally, as I mentioned previously, the precedent already exists. Let's pursue a realistic solution to restore the rights of District residents and provide them with a better future.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. FEENEY), a former Speaker of the House in Florida.

(Mr. FEENEY asked and was given permission to revise and extend his remarks.)

Mr. FEENEY. Madam Speaker, I find almost a surreal debate going on with my friends on the left side of the House saying to us don't you like democracy. We have got soldiers fighting for democracy throughout the world, while we are saying to our friends on the left, don't you like the Constitution?

The question is are we a pure democracy or a constitutional republic? The Constitution is made up of powers delegated by the States, and the States alone, to the Federal Government. The States and the States alone, according to the language of the Constitution, are represented in the U.S. House.

If you believe in democracy, use the constitutional amendment process, use the retrocession process. If you have a quarrel with the Constitution, it is not because you don't like the position of the Republicans and the minority in this House. It is because your quarrel is with the Founding Fathers.

Hamilton tried to get this provision in the Constitution, representation for D.C. The Founding Fathers considered it and they rejected it.

So, again, we are for democracy within a constitutional republic status. We are not an unadulterated democracy. We are a constitutional republic.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Nevada (Mr. HELLER).

Mr. HELLER of Nevada. Madam Speaker, I thank the ranking member for yielding.

I rise in opposition to this legislation. The matter is a question of basic fairness, but also serious constitutional concern.

As a former Secretary of State for the State of Nevada, I have spent years trying to figure out ways to promote voting, and I support the voting rights of all Americans. I additionally understand the concerns of Utah for its population that lives abroad outside its borders and their desire for an extra seat.

But I will tell you until this year, Nevada has had a 20-year grip as the fastest-growing State in the Nation,

and Nevada's population is about even to Utah's, but Nevada is growing significantly faster than our neighbor.

I understand the concerns of my Utah colleagues following the 2000 census; but to give Utah an extra seat at the expense of Nevada would, arguably, slight Nevada.

I know the intent is good, but the means by which we achieve them are just as important, and I urge a "no" vote.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to the most patient Member in the House of Representatives, the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Madam Speaker, I thank the chairman for yielding.

I want to make it conspicuously clear that I love the Constitution. And I understand that there are constitutional scholars on both sides of this issue.

There were constitutional scholars on both sides of Dred Scott. There were constitutional scholars on both sides of Plessy vs. Ferguson. There were constitutional scholars on both sides of Brown vs. The Board of Education.

The question is which side are you on? Which side are you on today?

I stand with the half million people, more than a half million people, in the District of Columbia who do not have full representation in the United States Congress. Which side are we on today?

I stand with ending 206 years of injustice on people who are citizens of the United States who live in the District of Columbia. I stand on the side of ending taxation without representation. I stand with the chairman and I want to especially say that I stand with the majority leader, who stood here and made me proud of him today. Just when I think that the stock of the chairman of this committee and the majority leader can't go any higher, it goes up.

I stand for government of the people, by the people, and for the people.

Mr. SMITH of Texas. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 full minute to RUSH HOLT of New Jersey.

Mr. HOLT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, the constitutional history of the United States has been the expansion of the voting franchise. Our history has been to expand the rights and responsibilities of citizenship.

With respect to the District of Columbia, the Constitution provides that the Congress shall have the power to exercise exclusive legislation. It does not say that the price is the loss of the franchise.

As a youngster who lived here in the District of Columbia, I was told by some that residents of D.C. were special. My colleague from Texas used the

word “distinctive” awhile ago, that somehow we were honored to have Congress govern us even though we did not have representation.

What a strange honor. It is truly paradoxical and ironic that residents of the seat of government of the greatest democracy in the world should not themselves have the right of direct representation, 600,000 citizens, citizens without the complete basic rights of citizens. Giving D.C.’s 600,000 residents direct representation of Congress is long overdue.

I rise today in support of the District of Columbia House Voting Rights Act of 2007, and I would like to commend my colleagues ELEANOR HOLMES NORTON and TOM DAVIS for their tireless efforts to bring this important measure to the Floor for a vote.

The United States Constitution, a relatively short and simple document, has utterly transformed the world in its 200 year history. It has served as a model for fledgling democracies everywhere, because of its establishment of a system under which the citizenry grant limited powers to the government and choose the individuals who will represent them in that government. The Constitutional history of the United States has been the expansion of the voting franchise. Our history has been to expand the rights and responsibilities of citizenship.

As for the District of Columbia, however, the Constitution provides that Congress shall have the power “to exercise exclusive legislation over such District (not exceeding ten miles square) as may . . . become the seat of government of the United States.” It does not say that the price is disenfranchisement.

The importance of creating a neutral jurisdiction for the seat of the federal government under the exclusive control of Congress made sense at the time. As a youngster who lived in the District of Columbia many decades ago, I was told by some that residents of DC were special, distinctive as the gentleman, Mr. SMITH, that we were honored to have Congress govern us even though Congress worked without representation from us. What a strange honor! It is truly paradoxical that the residents of the seat of government of the greatest democracy in the world should not, themselves, have the rights to direct representation. The District of Columbia was created in 1790 and, in 1800, it had a population of just over 8,000. Today, it is home to about 600,000 citizens—citizens without the complete basic rights of citizens.

If enacted, H.R. 1433 would treat the District of Columbia like a congressional district for the purposes of allowing direct representation within the House of Representatives. This measure was reported out favorably by the House Committee on the Judiciary Committee by a margin of almost two to one, and subsequently by the House Committee on Oversight and Government by a margin of 25 to four. [Giving Washington D.C.’s 600,000 residents direct representation in Congress is long overdue.] I fully support this measure and I urge my colleagues to do the same.

Mr. CONYERS. Madam Speaker, I yield 1 minute to the gentleman from Ohio, DENNIS KUCINICH, a distinguished Member of this body.

Mr. KUCINICH. Madam Speaker, I thank the chairman for yielding.

D.C. residents shoulder the burden of a colossal injustice. They live within a system of governance that extracts the full range of taxes paid by all other U.S. citizens without the benefit of voting representation in the United States Congress.

The history of D.C. is the history of democracy denied. Its citizens have given the full measure of their allegiance to the United States. They fought in wars for the United States. They have paid taxes. They have provided labor, resources, and space to the United States Government. Yet for 200 years District residents have been bystanders in the governance of their Nation and city.

“Taxation without representation” is not just a good slogan. It is a plight that sparked revolution. We attempt to create democracies around the globe, but to deny democracy in the shadow of the U.S. capital, it is now time to end that.

Voting rights, civil rights, human rights are all one. Support this resolution.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 1 minute to my good friend from Virginia, JAMES MORAN.

Mr. MORAN of Virginia. Madam Speaker, I listened carefully to the arguments against this bill, and no one has made the argument that this is not the right thing to do. The opposition is hiding behind the language of the Constitution. I say “hide” because there are any number of interpretations and any number of conservative constitutional scholars who have said this is fully constitutional.

But it is the right thing to do because there is no jurisdiction, no State, no local government that has had more legislation passed in this body affecting them than the onerous provisions directly affecting the citizens of the District of Columbia and uniquely affecting them.

Forty-four thousand veterans are in the District of Columbia. Every D.C. resident pays Federal taxes.

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They are solid American citizens and there are more of them than in the entire state of Wyoming. They deserve voting representation.

Let me say one further thing. I represent the area in Alexandria that used to be part of the District of Columbia. When that area retroceded back to Virginia, on the front page of the Alexandria Gazette they described the freed men and freed women on their knees begging for citizens of Alexandria not to do this—not to deprive every black person of all their rights. But the entitled white people of Northern Virginia voted to deny them their rights because of racism. The history of this disenfranchisement of D.C. residents is not a pretty one. It needs to be undone.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to my friend the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Speaker, I rise in strong support for voting rights for residents of the District of Columbia.

I would note, Madam Speaker, that this month is Women’s History Month, and it took women many, many long years to gain the right to vote. It took a constitutional amendment in 1920 to give women the right to vote. But today we can vote to give the vote to the residents of the District of Columbia.

I would note that it was not until 1965 that the landmark Voting Rights Act was signed into law to outlaw discriminatory practices like literacy tests and to ensure that all Americans, regardless of race, had access to the ballot. Today we have the opportunity to take another historic step in the right direction by ending the disenfranchisement of hundreds of thousands of tax-paying Americans.

The people of the District of Columbia contribute to our national economy, they fight in our wars, and it is simply wrong that they not have representation.

I rise in strong support of voting rights for these residents.

Madam Speaker, I rise today in strong support of H.R. 1433, the “District of Columbia House Voting Rights Act,” introduced by my good friend and colleague, Representative ELEANOR HOLMES NORTON.

She has been a steadfast champion for her constituents on many issues, and has worked tirelessly to bring this legislation to the floor today.

I want to commend her for her commitment to the residents of the District of Columbia, who for too long have been denied a voice in the House of Representatives.

We have seen through our own history the great struggles that have been endured to win the right to vote.

For women, it took a constitutional amendment in 1920 to give us the right the vote.

It was not until 1965 that the landmark “Voting Rights Act” was signed into law to outlaw discriminatory practices like literacy tests and to ensure that all Americans, regardless of race, had access to the ballot box.

Today, we are taking another step in the right direction by ending the disenfranchisement of hundreds of thousands of tax-paying Americans.

It is undemocratic that we can determine the taxes that District residents pay to the Federal Government, but they have not been able to elect a representative who has a say in what those taxes will be.

The people of the District of Columbia contribute to our national economy and they fight in wars.

It is simply wrong that their representative in the House does not have full voting rights.

The House of Representatives is known as “the people’s house” yet for the people living in the District of Columbia, their voices have been silenced for far too long.

It is sadly ironic that the citizens living in the Nation’s Capital do not have full representation in the House.

With this legislation, we will change history. I urge my colleagues to support his legislation.

Mr. SMITH of Texas. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, let me summarize the reasons we should oppose this legislation. D.C. is not a State, and the Constitution clearly limits representation in the House to States.

Supporters of this bill claim Congress has the authority to enact this bill under a broad reading of the so-called "District clause" in Article I, section 8 of the Constitution. However, Article I, section 2 clearly says, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States."

The bill unfairly subjects many citizens to unequal treatment as well. H.R. 1433 grants Utah an additional Representative who will run statewide or at large. The at-large provision violates the principles of one man, one vote. Voters in Utah would be able to vote for two Representatives, their district Representative and their at-large Representative, whereas voters in every other State would only be able to vote for their one district Representative. The result would be that Utah voters will have disproportionately more voting power than the voters of every other State, and that, too, is clearly unconstitutional.

In 2000, the Federal District Court in D.C. itself stated, "We conclude from our analysis of the text that the Constitution does not contemplate that the District may serve as a State for purposes of the apportionment of congressional representatives."

Furthermore, Madam Speaker, this unconstitutional approach is completely unnecessary. Most of the District of Columbia, other than a few Federal buildings, could simply be returned to the State of Maryland. That process of retrocession is clearly allowed by the Constitution. That process could grant representation in the House to those in Washington by a simple majority vote. D.C. voters could then be represented by both House and Senate Members, an improvement over the current legislation.

Madam Speaker, finally, and for many good reasons, the administration also opposes this legislation.

Madam Speaker, I yield back the balance of my time.

Mr. CONYERS. Madam Speaker, I yield to the gentlewoman from California (Ms. WATSON) for the purpose of a unanimous-consent request.

(Ms. WATSON asked and was given permission to revise and extend her remarks.)

Ms. WATSON. Madam Speaker, I just want to say that this is long overdue.

Madam Speaker, I am elated that this bill is finally reaching the House floor for a vote—that we might finally be granting a voice in Congress to half a million patriotic taxpaying Americans. I know that my colleague, ELEANOR HOLMES NORTON, is elated as well.

Democracy for District residents is long overdue. There are over 500,000 residents living in DC and they pay some of the highest income taxes in the Nation, but they do not have full representation in Congress. This is unacceptable. DC residents should have the voice and voting rights that the other 50 States in this country share.

Voting is fundamental to the Democratic process. It is the one act that allows the widest participation of the American public in our political process. Every voter who goes to the polls should be assured that his or her vote will be counted and the candidates they put in office will be able to have the voting power to voice their needs in this House.

Madam Speaker, I am hopeful that when this bill passes, I will soon be able to call my colleague from the District of Columbia Congresswoman HOLMES NORTON and she will be joining me on the floor to vote and represent the people of Washington, DC to the fullest.

Mr. CONYERS. Madam Speaker, I yield 30 seconds to the distinguished former member of the Judiciary Committee, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank the chairman.

Madam Speaker, this bill is about justice, it is about fairness and about democracy. What a terrible message we send when the people in the capital of the world's greatest democracy do not have a vote in the people's House.

I have the privilege of representing the district right next to Washington, D.C., and it is simply wrong that when you cross the border from Washington, D.C., into my district, you go from a district where you have no voting representation in Congress to one where you do.

We need to make sure that all the people in this country share the right to a vote in the people's House. I urge adoption of this bill.

Mr. CONYERS. Madam Speaker, I yield 30 seconds to the distinguished gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and his leadership in bringing this very important legislation to the floor.

This is a happy day indeed. It is an historic day. It is a day when the people of the District of Columbia will finally have their voices heard and represented.

This is a personal joy for me as well, because when I was born all those many years ago, my father served in the Congress, and he became the Chair of the District of Columbia Appropriations Subcommittee. As such, that was a time when there was no Mayor, no home rule, no anything; that committee practically ran the District of Columbia. My father was a strong advocate for home rule for the District, and, of course, we had hoped eventually, and still do, statehood.

It took a long time, but at last today we will get a vote once again for Congresswoman ELEANOR HOLMES NORTON. She has really been a champion for the District. Even without the full vote,

her impact is felt here, but it is the right thing to do for her to have the vote.

Congressman DAVIS, as Chairman DAVIS and now as ranking member, has always been a strong advocate for this, as has HENRY WAXMAN, the Chair of the Government Reform Committee, and you, Mr. Chairman, from the standpoint of the Judiciary Committee.

How impressive it was to see the Iraqi vets, these young people, coming back from the Iraq war, and those serving in Afghanistan, where they were willing to make any sacrifice for our country. Their courage and patriotism is honored by all of us. They came and pled to us for the District of Columbia to have the vote. They live here, they went to war from here, they wanted to come home to the fullness of democracy for the District of Columbia.

Today's vote affirms an enduring principle of our democracy, the right to be heard and represented. They fought for that in Iraq. They should have it here in the District.

For more than 200 years, the people of the District of Columbia have been denied full representation. This carefully crafted, bipartisan legislation corrects a serious flaw in our democracy. America is at its best honoring the cause of freedom and justice when all voices are fully represented.

The effort to politicize the issue of fundamental fairness disrespects the ideals of this Nation and the people of the District of Columbia. We must honor our democracy. House Democrats will not rest until full representation in the House is granted to the District of Columbia.

This is an important day on which I congratulate Congresswoman ELEANOR HOLMES NORTON and the people of the District of Columbia for having this right come due.

Mr. CONYERS. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I will insert in the RECORD under yesterday's date, March 21, a CRS report handed to me by ELEANOR HOLMES NORTON that validates the fact that the one man, one vote principle is not violated by the Utah creation of an at-large district.

Madam Speaker, we have had a lot of predictions from Members of the Congress who may be on the Supreme Court someday. They predicted unconstitutionality and constitutionality. Let's leave it up to the Court. But, remember, those challenging on the basis of unconstitutionality have the burden.

I close with this observation: The three recommendations we have had, a constitutional amendment; retrocession, giving D.C. back to Maryland; or statehood, are not going to work.

I urge support for this measure before us today.

CRS REPORT FOR CONGRESS: CONGRESSIONAL REDISTRICTING: THE CONSTITUTIONALITY OF CREATING AN AT-LARGE DISTRICT

(L. Paige Whitaker, Legislative Attorney)

#### SUMMARY

Among other provisions, H.R. 1433 (110th Cong.), the District of Columbia House Voting Rights Act of 2007, would expand the U.S.



House of Representatives by two Members to a total of 437 Members. The first of these two new seats would be allocated to create a voting Member representing the District of Columbia, and the second seat would be assigned in accordance with 2000 census data and existing federal law, resulting in the addition of a fourth congressional seat in the state of Utah, which would be a temporary at-large district. This report is limited to discussing only the constitutionality of the creation of an at-large congressional district. While it is not without doubt, based on the authority granted to Congress under the Constitution to regulate congressional elections and relevant Supreme Court precedent, it appears that federal law establishing a temporary at-large congressional district would likely be upheld as constitutional.

H.R. 1433 (110TH CONG.), THE DISTRICT OF

COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Among other provisions, H.R. 1433 (110th Cong.), the District of Columbia House Voting Rights Act of 2007, would expand the U.S. House of Representatives by two Members to a total of 437 Members. It specifies that the first of these two new seats would be allocated to create a voting Member representing the District of Columbia, and that the second seat would be assigned in accordance with 2000 census data and existing federal law, which would currently result in the addition of a fourth congressional seat in the state of Utah. This report is limited to considering only the issue of the constitutionality of the creation of an at-large congressional district.

H.R. 1433 (110th Cong.) was introduced on March 9, 2007, and supersedes H.R. 328, which was introduced earlier in the 110th Congress. On March 13, the House Government Oversight and Reform Committee reported H.R. 1433, by a vote of 24-5, and on March 15, the House Judiciary Committee reported the bill by a vote of 21-13.

#### BRIEF CONSTITUTIONAL ANALYSIS

The U.S. Constitution provides the states with primary authority over congressional elections, but grants Congress the final authority over most aspects of such elections. This congressional power is at its most broad in the case of House elections, which have historically been decided by a system of popular voting. Article I, § 4, cl. 1 provides that:

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Supreme Court and lower courts have interpreted this language to mean that Congress has extensive power to regulate most elements of congressional elections, including a broad authority to protect the integrity of those elections.

The Constitution does not specify how Members of the House are to be elected once they are apportioned to a state. Originally, most states having more than one Representative divided their territory into geographic districts, permitting only one Member of Congress to be elected from each district. Other states, however, allowed House candidates to run at-large or from multi-member districts or from some combination of the two. In those states employing single-member districts, however, the problem of gerrymandering, the practice of drawing district lines in order to maximize political party advantage, quickly arose.

Accordingly, Congress began establishing standards for House districts. Congress first passed federal redistricting standards in 1842, when it added a requirement to the apportionment act of that year that Representatives

"should be elected by districts composed of contiguous territory equal in number to the number of Representatives to which each said state shall be entitled, no one district electing more than one Representative." (5 Stat. 491.) The Apportionment Act of 1872 added another requirement to those first set out in 1842, stating that districts should contain "as nearly as practicable an equal number of inhabitants." (17 Stat. 492.) A further requirement of "compact territory" was added when the Apportionment Act of 1901 was adopted stating that districts must be made up of "contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants." (26 Stat. 736.) After 1929, there were no congressionally imposed standards governing congressional redistricting; in 1941, however, Congress enacted a law providing for various redistricting contingencies if states failed to redistrict after a census—including at-large representation. (55 Stat. 761.) In 1967, Congress reimposed the requirement that Representatives must run from single-member districts, rather than running at-large. (81 Stat. 581.)

Both the 1941 and 1967 laws are still in effect, codified at 2 U.S.C. §§ 2a and 2c. In *Branch v. Smith*, the Supreme Court considered the operation and inherent tension between these two provisions. It does not appear, however, that the question of congressional authority was in serious dispute in this litigation. Rather, the Court noted in passing that the current statutory scheme governing apportionment of the House of Representatives was enacted in 1929 pursuant to congressional authority under the "Times, Places and Manner" provision of the Constitution. Consequently, it seems likely that Congress has broad authority, within specified constitutional parameters, to establish how Members' districts will be established, including the creation of at-large districts.

It might be suggested that creating an at-large congressional district in a state could violate the "one person, one vote" standard established by the Supreme Court in *Wesberry v. Sanders*. In *Wesberry*, the Supreme Court first applied the one person, one vote standard in the context of evaluating the constitutionality of a Georgia congressional redistricting statute that created a district with two to three times as many residents as the state's other nine districts. In striking down the statute, the Court held that Article I, section 2, clause 1, providing that Representatives be chosen "by the People of the several States" and be "apportioned among the several States . . . according to their respective Numbers," requires that "as nearly as is practicable, one man's vote in a congressional is to be worth as much as another's."

While it is not beyond dispute, it does not appear that the creation of an at-large district under the circumstances outlined in H.R. 1433 would be interpreted to create a conflict with the "one person, one vote" standard. Under H.R. 1433, each Utah voter would have the opportunity to vote both for a candidate to represent his or her congressional district as well as for a candidate to represent the state at-large. Each person's vote for an at-large candidate would be of equal worth. Further, each person's vote for an at-large candidate would not affect the value of his or her vote for a candidate representing a congressional district. Accordingly, all Utah residents' votes would have equal value, thereby arguably comporting with the one person, one vote principle.

Based on the authority granted to Congress under the Constitution to regulate congressional elections and relevant Supreme

Court precedent, it appears that a federal law establishing a temporary at-large congressional district would likely be upheld as constitutional.

The SPEAKER pro tempore. The gentleman from California (Mr. WAXMAN) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Speaker, I yield my time to be managed by the gentlelady from the District of Columbia, soon to be, her voters willing, the actual Representative of the District of Columbia in every way possible.

The SPEAKER pro tempore. The gentlewoman from the District of Columbia (Ms. NORTON) will control 10 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I thank the gentleman from California for yielding me his time.

Madam Speaker, this bill is covered with the full handprints of scores of Members, beginning on the other side of the aisle with Congressman TOM DAVIS, who planted and tirelessly cultivated the seed; and Utah Members CANNON and BISHOP, joined by Mr. MATHESON, the State's only Democratic Member.

However, it was leadership that got us to this historic day, especially Speaker PELOSI's personal insistence, Majority Leader HOYER's outspoken energy, Chairman CONYERS' decades of persistence and Chairman WAXMAN's indispensable guidance.

I am inspired daily by the citizens of this city, personified by Emory Kosh, a staff assistant in my office here in the House whose second child was born while he was serving in Iraq. Emory's military service follows in the tradition of D.C. residents, who first fought in the Revolutionary War to establish "the Republic for which we stand," have fought and died for their country in every war since, and, like other Americans, have always been obliged to pay Federal income taxes, today ranking second among the 50 States and the District of Columbia in taxes paid to support the Government of the United States. Today, I come forward in their name.

Our forefathers in this city were the three Virginians who signed the Constitution and the three signers from Maryland. Yet some seriously argue that the Virginians, the Marylanders and the other Framers fresh from the Revolutionary War, waged specifically to obtain representation, contributed land where thousands of their own residents resided, some of them veterans of the Revolutionary War, and then signed away their rights in the new Constitution.

However you vote on the District's voting rights, do not slander the Framers. For two centuries, the fault has been right here in the Congress, not the flawed vision of the Framers.



Madam Speaker, I reserve the balance of my time.

□ 1345

Mr. TOM DAVIS of Virginia. Madam Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, I come to the House today to express my support for the District of Columbia House Voting Rights Act of 2007.

I believe after much consideration that this legislation is a constitutional remedy to a historic wrong. Now, while many have focused on the political consequences of such a move, I believe the only question for a Member of Congress on such matters is this: What does justice demand and what does the Constitution permit this Congress to do about it?

The fact that more than half a million Americans live in the District of Columbia and are denied a single voting representative in Congress is clearly a historic wrong, and justice demands that it be addressed. At the time of the adoption of our present system of government, the Federal city did not exist apart from a reference in the Constitution. And when the District of Columbia opened for business in 1801, only a few thousand residents lived within her boundaries. Among our Founders, only Alexander Hamilton would foresee the bustling metropolis that the District of Columbia would become, and he himself was an advocate of voting representation.

The demands of history in favor of representation for the Americans living in Washington, D.C. are compelling. In establishing the Republic, the single overarching principle of the American founding was that laws should be based on the consent of the governed. The first generation of Americans threw tea in Boston Harbor simply because they were denied a voting representative in the British Parliament. Given their fealty to representative democracy, it is inconceivable to me that our Founders would have been willing to accept the denial of representation to so great a throng of Americans in perpetuity.

But the demands of justice are not enough for Congress to act. As many of my colleagues have eloquently stated, under the principles of limited government, a republic may only take that action which is expressly authorized in its written constitution. In this regard, I believe that H.R. 1433 is constitutional. And I am not alone in this view.

In support of this legislation, Judge Kenneth Starr, former independent counsel and U.S. Solicitor General observed: "There is nothing in our Constitution's history or its fundamental principles suggesting that the framers intended to deny the precious right to vote to those who live in the capital of the great democracy they founded."

Now, opponents of D.C. voting rights understandably cite the plain language

of Article I of the Constitution that the House of Representatives be comprised of representatives elected "by the people of the several States." Now if this were the only reference to the powers associated with the Federal city, it would be persuasive, but it is not. Article I, section 8, clause 17 provides that "Congress shall have power to exercise exclusive legislation in all cases whatsoever" over the District of Columbia.

In 1984, it would be Justice Scalia who would observe that the seat of government clause gives the Congress "extraordinary and plenary power" over our Nation's capital.

And Congress has used this power to remedy the rights of Americans in the District of Columbia in the past. In 1949, the Supreme Court upheld legislation that extended access to the Federal courts to citizens of the district even though Article III expressly limited jurisdiction of those courts to citizens of States. As Judge Starr observed: "The logic of this case applies here," and I agree.

But one caveat, Madam Speaker. None of this argues for the District of Columbia ever to be granted a right to elect Members to the Senate. From the inception of our Nation, this House of Representatives was an extension of the people. The Senate, from the inception of our Nation, was an extension of the States. If the people of the District of Columbia would like two seats in the United States Senate, under the Constitution, they will have to become a State.

You know, the Old Book tells us what is required: do justice, love kindness, and walk humbly with your God. I believe that justice demands that we right this historic wrong. The American people should have representation in the people's House. I believe that kindness demands that we do the right thing for all Americans regardless of race or political creed, and I believe that humility demands that we do so in a manner consistent with our Constitution.

The D.C. House Voting Rights Act meets this test, and I am honored to have the opportunity to continue to play some small role in leading our constitutional Republic ever closer to a more perfect Union.

I commend the gentleman from Virginia and my colleague, the delegate from the District of Columbia, for their yeoman's work on this legislation.

Ms. NORTON. Madam Speaker, I am pleased to yield 1 minute to the chairman of the Oversight Committee without whose leadership we could not have come to this day, the gentleman from California (Mr. WAXMAN).

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Madam Speaker, I thank my colleague for yielding to me.

Today, we are considering a bill that will bring democracy to the District of Columbia. This bill will grant the Dis-

trict of Columbia a full vote in the House of Representatives. They have been denied full representation in Congress for over 200 years, and this will help right this long-standing injustice.

But I want to use my time to point out that there have been two champions of this legislation who deserve recognition. One is Congresswoman NORTON who has been working tirelessly on behalf of her constituents to forge a compromise that has bipartisan support; and the second is the ranking member of the Oversight and Government Reform Committee, and its former Chair, the gentleman from Virginia (Mr. TOM DAVIS).

Last year as chairman of our committee, he led the charge for voting rights for the District. It was his inspiration that brought this compromise to the point now where I expect this bill will pass the House of Representatives and go on its way to the other body. This is a bill that is long overdue. I urge all of my colleagues to vote for this bill.

H.R. 1433, the District of Columbia House Voting Rights Act of 2007, will grant the District of Columbia a full vote in the House of Representatives.

District of Columbia residents have been denied full representation in Congress for over 200 years. District residents pay billions of dollars in federal taxes yet get no vote in Congress. This bill will help right this longstanding injustice.

There have been two champions of this legislation who deserve recognition. One is Congresswoman NORTON, who has worked tirelessly on behalf of her constituents to forge a compromise that has bipartisan support. The second is the Ranking Minority Member of the Oversight and Government Reform Committee, Representative DAVIS. Last year, as Chairman of the Committee, he led the charge for voting rights for the District.

The District of Columbia House Voting Rights Act includes a number of important provisions.

This bill will increase the size of the House by two seats. One of those seats will go to the District of Columbia and the other seat will go to Utah, the next state in line to get a congressional seat. The bill prevents partisan gerrymandering by creating the new seat for Utah as an at-large seat and by ensuring that Utah does not redistrict its other congressional seats until apportionment is conducted following the 2010 census.

H.R. 1433 also contains a nonseverability clause providing that if a court holds one section of this bill invalid or unenforceable, all other sections will be invalid or unenforceable. This is an important safeguard because it means that no section of this legislation can have legal effect unless the entire bill has legal effect. Under this legislation, Utah cannot be granted a seat in the House without the District also being granted a seat or vice versa.

H.R. 1433 is a step in the right direction toward providing the residents of the District fair representation in Congress. I urge all of my colleagues to join me in supporting this legislation.

Mr. TOM DAVIS of Virginia. Madam Speaker, I yield to the gentleman from

Georgia (Mr. PRICE) for the purpose of a unanimous consent request.

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. I thank the ranking member and appreciate his indulgence.

I strongly oppose the underlying bill, as I believe it to be unconstitutional.

The House of Representatives stands on the verge of voting on a flatly unconstitutional, historically egregious bill, the District of Columbia House Voting Rights Act of 2007. This bill would grant the District of Columbia a full voting seat in the House of Representatives by circumventing the Constitution. While I agree that it is an injustice that any United States citizens not have voting representation in Congress, the contorted logic some have used to justify this bill is quite troubling.

In supporting this proposal, Kenneth Starr wrote, "There is nothing in our Constitution's history or its fundamental principles suggesting that the Framers intended to deny the precious right to vote to those who live in the capital of the great democracy they founded." While this may be true, the fact remains that the Constitution exclusively affords House representation to the states. Just because the District of Columbia was denied a seat in the People's House does not mean that Congress can ignore the Constitution.

Advocates of the DC Voting bill are discounting as unpersuasive the "plain language" of Article I, Section 2 of the Constitution, which states, "The House of Representatives shall be composed of Members chosen every second Year by the People of the several states." As if that weren't enough, the next sentence declares, "No Person shall be a Representative who shall not . . . when elected, be an Inhabitant of that State in which he shall be chosen."

It is indisputable that House representation is constitutionally limited to the states. In fact, the Bush administration recently declared the bill unconstitutional, citing 12 provisions in the Constitution that expressly link congressional representation to statehood. Certainly, no one is claiming that the District of Columbia is one of the 50 states.

Sadly, constitutionality is not a concern of proponents of this legislation. The central argument from supporters of this bill is fairness. They argue that Members of Congress have a moral responsibility to right this wrong by any means. The Founding Fathers would be aghast at this brazen disregard for the Constitution in pursuit of a quick fix.

Supporters of this feel-good legislation frequently cite the "District Clause" of the Constitution as justification, which reads, "Congress shall have power . . . to exercise exclusive Legislation in all Cases whatsoever, over such District." It is correct that Congress has the power to govern the District of Columbia, but this does not mean that the residents of the District of Columbia have the right to a seat in Congress, giving them the power to legislate over the 50 states.

The District Clause is found in section 8 of article I, the same section that gives Congress the power to "establish Post Offices" and to "make Rules for the Government and Regulation of the land and naval forces." Surely no one would propose granting Fort Gordon a seat in the House, but the promotion of this would follow the same logic.

To be clear: I support representation for the residents of the District of Columbia but not under this bill's approach. It is truly unjust that these tax-paying citizens are denied the right to have their voice heard in the people's House. But Congress cannot create voting rights for D.C. residents by simply ignoring or contorting the Constitution because it is our will. There are two proper, constitutionally just courses of action to remedy this unfairness.

First, the Founders gave Congress and the people the authority to amend the Constitution. This course would provide for a 51st state of the District of Columbia. But as the constitutional amendment process can be protracted and complicated, I support the second course—retroceding the non-federal portion of Washington, D.C., to the State of Maryland. Following this plan, most of the residents would have full representation in the House and Senate, as residents of Maryland. This is a commonsense proposal with historic precedent. In 1846, the land west of the Potomac was ceded back to the Commonwealth of Virginia, and these people now enjoy full congressional representation.

There is a great responsibility in supporting the republican form of government that our Founders created. And where injustices lie in the Constitution, Congress is right to try to correct them. But the greatest respect is owed to our Founders and our Nation as the longest surviving democracy in history. There is a reason for that and it has much to do with respecting the genius of our founding document. We must not ignore the principles of the constitutional republic our Founders laid out.

It is fundamentally antithetical to pursue representative fairness while disregarding the Constitution. I am hopeful that supporters of this bill will see the great fault in their logic, and resolve the injustice of the residents of the District of Columbia not having a voting representative in Congress properly within the bounds of the Constitution.

Mr. TOM DAVIS of Virginia. Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I am pleased to yield 2½ minutes to the Chair of the subcommittee with jurisdiction over the District of Columbia, the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Madam Speaker, first of all, let me thank the gentlewoman from the District of Columbia for yielding me this time. I also want to commend the chairman of oversight, the Honorable HENRY WAXMAN, and the ranking member, TOM DAVIS, for their leadership on this tremendous legislation. But I also want to add accolades for the gentlewoman from the District of Columbia who has put her heart, mind and soul into this legislation; and without her leadership, we obviously would not be here this afternoon.

I have heard many people talk from both sides. I have heard individuals say that the Constitution denies the opportunity, and I am thinking of the Constitution as a living document. I don't want to keep the Constitution where it might have been. Representative AL

GREEN made the most eloquent statement a few moments ago when he suggested there are always individuals on different sides of the Constitution. You can be on the right side, or you can be on the wrong side. You can be on the old side, or you can be on the new side; and the side that we are on this afternoon is the side that gives the residents of the District of Columbia the opportunity to help make more perfect this Union that we are a part of.

I stand firmly in support of this legislation. Again, I commend my colleagues on Oversight and Government Reform and urge all of the Members to vote in favor of giving the District of Columbia residents the right to vote.

Madam Speaker, I rise in support of H.R. 1433, the "District of Columbia House Voting Rights Act of 2007." I want to extend a thank you to Representatives TOM DAVIS and HENRY WAXMAN, and especially to Delegate ELEANOR HOLMES NORTON for their hard work and dedication in introducing and moving this legislation forward to provide the District of Columbia the right to vote with full representation in the House of Representatives.

The legislation before us today will give voting representation to over 500,000 District residents and increase the size of the House from 435 to 437 voting members. The right to vote is the most basic act of citizenship. Voting representation for District residents who pay Federal taxes, defend our country during war, and contribute to the economic viability of other states, should not be disfranchised because they chose to live in the District of Columbia.

The Constitution, ratified in 1789, provided for the creation and government of a permanent home for the national government. Article I, Section 8, Clause 17, called for the creation of a Federal district to serve as the permanent seat of the national government and granted Congress the power, "to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States. . . ." The Constitution grants Congress plenary power to govern the District of Columbia's affairs. This includes granting voting representation in the House of Representatives for the District of Columbia.

On March 13, 2007, H.R. 1433 was passed by a decisive vote of 24 yeas to 5 nays in the Committee on Oversight and Government Reform and reflects bipartisan support for this legislation.

Madam Speaker, Congress is attempting to correct a longstanding inequity for residents in the Nation's Capital—taxation without representation. We in this body must up hold the Constitution by not denying a large mass of people their fundamental right to voting representation. Congress has the power to correct the wrongs of the past for District residents and it lies in our power to grant the people of DC the right to voting representation.

Madam Speaker, I urge all my colleagues to support this legislation.

Mr. TOM DAVIS of Virginia. Madam Speaker, I yield myself the balance of my time.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Madam Speaker, it is often said that if opportunity doesn't knock, build a door. With this bill, we are doing just that.

Using the materials at hand today, we can open a portal to full democratic participation that for too long has remained locked. The circumstances are right, the stars are aligned, and the proposal is sound.

Four years ago, we saw a confluence of events that set the stage for the compromise we have before us today. Two injustices met to create this opportunity to correct both. On the one hand, a long-ignored historical anomaly denies the citizens of the District of Columbia voting representation in the House of Representatives. On the other hand, a more recent problem with the census denies the citizens of Utah the additional House vote that a true count would have yielded.

As it happens, one jurisdiction is predominantly Democratic, the other predominantly Republican. The circumstances opened the way to a politically neutral solution to both problems.

Throughout our Nation's history, it has been just this kind of win-win compromise that, however rooted in the fleeting circumstances of the day, provide enduring solutions to seemingly intractable problems.

Each of us swears to uphold the Constitution, its letter and spirit. That living document is at its heart the most fundamental right of citizens in a democracy. All the citizens. So we rely on the plenary power found in the District clause to restore the full right of citizenship to our disenfranchised countrymen and women.

After researching every possible avenue to right these wrongs and give the citizens of the District of Columbia and Utah, the next State that is eligible for a vote under the formula, the representation to which they are entitled, we concluded the approach before us today is both constitutionally sound and politically viable.

The former is our sworn duty. The latter is a practical imperative.

In 4 years, I have found no evidence that any Member of this body seriously plans to attempt retrocession or campaign for a constitutional amendment. There is a good reason for that: they are politically not viable. Most Members, including me, don't waste their time tilting at windmills.

By now, every Member is aware of the constitutional arguments. I ask that you think carefully about what you hear today. Every first-year law student in this country learns that you can't just read the Constitution once over literally to figure out what it means. But that is what the other side's arguments are. That is where it stops, and that is where it starts.

Those opposing this bill ignore 200 years of case law and clear instruction from the Court that this is a congressional matter and requires a congressional solution. Under their literal

reading of the Constitution, District residents would have no right to a jury trial under the sixth amendment because you have to be a State to have that right.

D.C. residents would have no right to sue people from outside D.C. in the Federal courts; only people from States have that right under Article III, section 2.

The full faith and credit clause would not apply to D.C. because that only applies to States under a literal reading of the Constitution.

And the Federal Government would not be allowed to impose Federal taxes on the District. The Constitution says direct taxes shall be apportioned among the several States. Article I, section 2, clause 3.

But in each of these cases, the Supreme Court has held that Congress can consider the District a State for purposes of applying these fundamental provisions. If Congress has the authority to do so regarding these lesser rights and duty, there should be no question we have the same authority to protect the most sacred right of every American: to live and participate in a representative Republic.

It should also be pointed out that Congress granted voting representation in 1790 when it accepted the land that would become the Federal city. It then removed those rights, by statute, 10 years later. Those facts are undisputed. No amendment to the Constitution was considered necessary then. And those opposing the bill today will not explain, only assert, the claimed need for a constitutional amendment to reverse a decision that was made through enactment of a statute.

This problem should be solved. A lot of people today will talk about the Framers and tell us that the Framers intended for the Federal city to have no direct representation.

Do you really believe that if the capital had stayed in New York, the city would have been disenfranchised? Do you believe that if the capital had stayed in Philadelphia, the city would have been disenfranchised? Of course not, and neither should the people of Washington, D.C.

What we know is men and women who fought and died to create this country were willing to die for people who might disagree with them politically. D.C. residents are paying Federal taxes. They are fighting and dying in the Middle East to bring democracy to that part of the world.

This is no mere legal or political science exercise. It's a crisis. Your fellow Americans are being denied the full rights and benefits of representative government. We have before us this unique moment in our history, the opportunity to fulfill the promise of the Constitution and make our democracy whole again.

□ 1400

I hope we hear opportunity knocking, and I hope we hear the faint, but un-

mistakable whisper of conscience and of history, urging us all to seize the moment with courage and humility.

[From the Washington Post, Mar. 14, 2007]

#### RIGHTS AND WRONG

Historic legislation giving the people of the District a vote in their national government is being debated in the House of Representatives. Prospects for its passage have never been better. The Democrats who control the House have kept a promise to move the bill forward, but the disenfranchisement of American citizens shouldn't be about partisan politics. It should be about what is right and wrong.

Indeed, the legislation working its way through the House sprang from the sense of injustice of a Republican House member from suburban Virginia. Rep. Thomas M. Davis III believes it is grotesque that D.C. residents are denied congressional representation. He came up with an ingenious way to get politics out of the equation. Two seats would be added to Congress—one for the mostly Democratic District and the other for heavily Republican Utah. The bill is on a fast track thanks to House Speaker Nancy Pelosi (D-Calif.) and Majority Leader Steny H. Hoyer (D-Md.). The House Oversight and Government Reform Committee approved the measure yesterday, with every Democrat and six Republicans voting for it. The Judiciary Committee now takes it up, and a battle is expected.

It's hard to make a case for depriving people of a voice in Congress when they pay federal taxes, serve on federal juries and send family members off to war. It's also pretty embarrassing that the United States, while preaching democracy to the rest of the world, remains the only democratic country where people in the capital city are without representation. So opponents of D.C. voting rights have latched onto the only argument they can make with a straight face—that the bill is unconstitutional.

Former judges and constitutional scholars such as Kenneth Starr, Patricia Wald and Viet Dinh, not to mention the American Bar Association, believe the bill is constitutional. They argue that Congress has repeatedly treated the District as if it were a state and that this treatment has been upheld. For his part, Mr. Davis has delved into history to make a compelling argument that the lack of a vote was never the aim of the Founding Fathers but rather an "undemocratic accident."

We concede that serious people hold the contrary view. No court has ever weighed in on the D.C. Voting Rights Act, so the constitutional question is open. That, though, is an issue for the courts to decide, in the event of a legal challenge. It should not be an excuse for Congress to continue to deny a basic right to more than half a million people.

[From the Washington Times, Mar. 22, 2007]

#### D.C. DUE VOTING RIGHTS

(By Jack Kemp)

How's this for irony: Headlines recently proclaimed that the White House was opposed to giving the vote to the more than 600,000 residents of our nation's capital, who, incidentally, are paying federal income taxes to send members of their families to Iraq and Afghanistan so as to guarantee the right to vote for the residents of those nations' capitals.

Even as the Judiciary Committee of the House of Representatives was passing the bill, cosponsored by Reps. Eleanor Holmes Norton, D-D.C., and Tom Davis, R-Va., a spokesman for President Bush was saying the bill is unconstitutional without showing a modicum of sympathy or even a modest understanding of this irony.

The White House spokesman is putting the president in the position of outspoken opposition to expanding the democratic ideal here in the nation's capital, while simultaneously the White House argues the president has the constitutional authority to defend freedom and extend democratic rights to the people of Baghdad and Kabul.

I wrote last May: "Throughout our nation's history, District of Columbia citizens have given the full measure of their allegiance to the United States. They have fought in and died in every war in which the United States was engaged, they have paid billions in taxes, and they have provided labor and resources to the U.S. economy and government. Yet for 200 years, District residents have been bystanders in the governance of their nation."

With regard to the constitutional arguments, one of the leading conservative lights in the House of Representatives, Mike Pence of Indiana, recently wrote, "Opponents of D.C. voting understandably cite the plain language of Article I that the House of Representatives be comprised of representatives elected by 'the people of the several states.' If this were the only reference to the powers associated with the federal city, it would be most persuasive, but it is not. Article I, Section 8, Cl. 17 provides, 'The Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever' over the District of Columbia."

Pence courageously and wisely voted yes against White House wishes and, sadly, those of the GOP leadership.

In 1984, Justice Antonin Scalia observed that the Seat of Government Clause of the Constitution gives Congress "extraordinary and plenary" power over our nation's capital. Scalia added that this provision of the Constitution "enables Congress to do many things in the District of Columbia which it has no authority to do in the 50 states . . . There has never been any rule of law that Congress must treat people in the District of Columbia exactly the same as people are treated in various states." United States v. Cohen, 733 F.2d 128, 140 (D.C. Cir. 1984).

Chief Justice John Marshall acknowledged in the early 19th century that "It is extraordinary that the courts of the United States, which are open to aliens, and to the citizens of every state in the union, should be closed upon (district citizens)." But, he explained, "This is a subject for legislative, not for judicial consideration."

Marshall thereby laid out the blueprint by which Congress, rather than the courts, could treat the District as a state under the Constitution for the purposes of enfranchisement.

Neither I, nor Tom Davis nor Mike Pence, is arguing for the District of Columbia to become a state. Indeed, from the inception of our nation the founders believed the House of Representatives was the House of the people. I believe passionately that the architects of the American Constitution left us the tools to ensure that all American people should have a voice and vote in the "people's house."

I'm troubled by people in the White House who show compassion for the people of Baghdad and Kabul, as they should, but can't find it in their hearts to show anything but indifference to the cries for justice in the nation's capital.

What these presidential advisers are doing is rigidly interpreting the Constitution in such a way as to make the Party of Lincoln into a party that condemns the people of our nation's capital, including four of my 17 grandchildren, from ever participating in the great issues of the day as debated and decided in the House of Representatives.

Indeed, this is taxation without representation.

Republicans have historically supported civil, human and voting rights, including the passage of the 13th, 14th and 15th Amendments. We have a great history of bipartisan support for civil rights, but it was our presidential candidate in 1964 who refused to take a stand for civil and social justice for African-Americans.

My question is, does this president want to continue the legacy of Lincoln, Grant and Eisenhower, or that of Barry Goldwater in 1964?

[From the Washington Post, Feb. 7, 2007]

#### MORE THAN WORDS

National Democratic party leaders are on record with their unequivocal endorsement of the District's bid for full voting rights in the House of Representatives. Support is always welcome, but what's needed is action. It's time for the Democrats who control Congress to act on legislation to end the disenfranchisement of citizens living in the nation's capital.

The Democratic National Committee voted last weekend to support the measure, promising a grass-roots lobbying campaign. It's a welcome boost for a bill that has languished too long. Sponsored by Rep. Thomas M. Davis III (R-VA.) and the District's non-voting delegate, Eleanor Holmes Norton (D), the measure would add two seats to the House—one for the heavily Democratic District and the other for largely Republican Utah. The bill enjoyed widespread bipartisan support in the past Congress but was never scheduled for a floor vote, to what should be the everlasting embarrassment of the Republican leadership.

Democrats are in a position to push the bill for approval, but internal party squabbling has slowed its movement. Some Democrats balked at doing anything for Utah until they were convinced that the District seat wouldn't have a chance unless balanced against Utah, which probably would get an extra seat anyway after the next census reapportionment. In recent days, Rep. Henry A. Waxman (D-Calif.) has raised the concern that the bill would give Utah an extra electoral college vote in the 2008 presidential election and could hurt Democrats in a close race. The question is whether Democrats will allow that highly remote and partisan concern to stand in the way of their claimed support for fair representation for District residents.

Party insiders are confident that the disagreements will be ironed out, and they stress that, unlike the Republican leadership, House Speaker Nancy Pelosi (D-Calif.) and Majority Leader Steny H. Hoyer (D-Md.) are genuinely committed to voting rights for the District. We have no reason to doubt that. But the strength of the bill crafted by Mr. Davis and Ms. Norton is that it takes into account the self-interest of both parties while weighing the needs of the people of the District and Utah. Tinkering with that formula could doom the bill, and no matter how good the intentions of lawmakers, the District deserves results.

[From the Virginian-Pilot, Mar. 21, 2007]

#### SENSIBLE COMPROMISE ON D.C. VOTING

"Taxation without representation" has been a bedrock excuse for American political dissent since Boston Tea Party days.

Which brings us to the perennial crack in the teacup—the 600,000 residents of the District of Columbia, many of whom are required to pay taxes but none of whom gets to elect a voting member of Congress.

Now, Reps. Tom Davis, R-Va., and Eleanor Holmes Norton, the District's non-voting representative to Congress, have teamed to sponsor an innovative plan thought to have

the best shot in years of closing the gap between principle and practice.

The D.C. Voting Rights Act of 2007 would expand the number of U.S. House seats from 435 to 437, balancing a predictably Democratic D.C. vote with one from a new, predictably Republican Utah district.

Previous expansions of congressional membership sought similar balance. At the last census, Utah came within a whisker of getting an additional seat. It fell short, Utahans claim, only because hundreds of young Mormon missionaries were on the road and weren't counted.

The Norton-Davis legislation passed both the House Government Operations Committee, which Davis used to chair, and the Judiciary Committee, but never made it to the floor when Republicans controlled the House.

Now, the Democrats in charge expect to bring the proposal to a floor vote, probably later this month.

Opponents of the bill question its constitutionality, noting that Article 1 says members should be chosen by "the people of the several states." Norton-Davis counters that the District actually had a voting representative for several years around the turn of the 19th century, so the precedent already is set.

Various constitutional scholars have opined that the framers clearly intended for all the nation's citizens to have voting representation at the highest levels of government. Conservatives ascribing to that view include former U.S. Circuit Judge Kenneth W. Starr, who served on the D.C. Circuit Court of Appeals.

So long as a reasonable constitutional reading supports the legislation, and it does, Norton-Davis ought to pass.

A large block of taxpaying citizens should not be disenfranchised through no fault of their own. Tom Davis and Eleanor Holmes Norton have offered a reasonable fix.

[From the Columbian, Jan. 4, 2007]

#### IN OUR VIEW—FAIR IS FAIR

And D.C. residents are not getting a fair deal.

Here are 435 voting members of the U.S. House of Representatives. Washington, the 15th largest state with 6.3 million residents, has nine of them. That's 2.068 percent of the House.

Wyoming, the nation's smallest state with 509,000 people, has one House member—0.229 percent.

With 550,000-plus residents, the District of Columbia, which would rank one above Wyoming if it were a state, has zero voting members in the House.

That's 0.000 percent.

That's not fair.

Congress can rectify this inequality and fix a glitch in the Utah's House apportionment at the same time. Our federal lawmakers should enact a proposal to increase House voting members to 437. One new seat would go to the District of Columbia and one to Utah. The D.C. seat would almost certainly be won by a Democrat and Utah's by a Republican.

The reasons for D.C. being shorted on representation for more than two centuries are numerous and of debatable legitimacy. What is indisputable is that more than a half-million Americans living in the very city that is the seat of federal government face federal taxation without representation, and it isn't fair. Utah's two U.S. senators and the state's political establishment support this idea, which died in the Republican-controlled Congress last month. They make a convincing case that in the 2000 census, Utah was undercounted because many of the state's young Mormons were out of state doing missionary

work. Had they all been counted, the argument goes, Utah would have earned a fourth House member and some other state would have lost one.

There are two legitimate concerns. One is that the Constitution says members of the House shall be chosen by "the people of the several states" and D.C. is not a state. But, many scholars say the Constitution also gives Congress power "to exercise exclusive legislation" over D.C. and therefore may give the District a voting member of the House.

Then there's the fear that if Congress starts down this road, it will add House members on political whims in the future. But that hasn't been the practice. In fact, Congress added two seats in 1959, giving one each to the new states of Alaska and Hawaii, but after the 1960 census cut the total back to 435. The new states kept one each and other states gave up the two, based on population.

A legitimate case can be made that D.C. should get one seat and Utah should get nothing until the next census. But this Utah-D.C. scenario is the best chance in decades for the District of Columbia to get rightful representation. In the name of fairness, Congress should make it happen.

[From the Battle Creek Enquirer (MI), Jan. 5, 2007]

#### PROPOSAL WOULD GIVE D.C. AND UTAH NEW HOUSE SEATS

For years, the fact that residents of Washington, D.C., have no voting representation in Congress has been a political hot potato. In 1961, the 23rd Amendment to the Constitution gave them the right to vote in presidential elections, and a decade later Congress voted to allow the district to send a nonvoting delegate to the House. That delegate currently is Eleanor Holmes Norton, who is allowed to vote on matters at the committee level, but not once they come to the House floor.

Now Congress may soon consider a bill that would increase the voting membership of the House from 435 to 437, adding new seats both for the District of Columbia and Utah.

The argument for giving Utah a fourth House seat is supported by those who insist the 2000 census undercounted Utah's population because of the many young Mormon men who travel out of that state as part of their missionary work.

Since D.C. is considered a Democratic stronghold and Utah is dominated by Republicans, the proposal has gained bipartisan support and could be taken up early in this congressional session.

The District of Columbia was created to provide an independent site for federal government that did not favor anyone state. Congress moved there from Philadelphia in 1800, and shortly thereafter the question of voting rights for D.C. residents became an issue. The lack of a voting representative long has been a sore point for many of the district's approximately 600,000 residents, who pay federal taxes and must abide by rules established by Congress.

Congress approved a constitutional amendment to provide a voting representative for district residents in 1978, but it failed to be ratified by three-fourths of the states.

There is debate among scholars as to whether increasing the number of House members requires a constitutional amendment, but supporters of this latest proposal insist that it does not. They say that all that is required is for Congress to revise a 1929 law that fixed House membership at 435 seats. That limit was boosted to 437 in 1959 in order to give representatives to the new

states of Alaska and Hawaii, but then went back to 435 with the reapportionment after the 1960 census.

Washington, D.C., is the only national capital in any democratic nation where residents do not have full voting rights. We think district residents should have a voting representative in Congress, and there is merit to the D.C.-Utah proposal that we hope will be considered soon by federal lawmakers.

[From washingtonpost.com, Mar. 22, 2007]

#### D.C. VOTING: A GOP ISSUE—OPPOSITION TO A HOUSE SEAT GOES AGAINST PARTY TRADITION (By Carol Schwartz)

Having personally written to President Bush and Congress numerous times over the years urging them to support voting rights for the citizens of our nation's capital, I was disheartened to learn that the Republican leadership is working to defeat legislation that would add a voting member from the District of Columbia and a voting member from Utah to the House of Representatives, and that the president is thinking about vetoing the bill. As a fellow Republican, I beseech them to reconsider.

News accounts indicate that Republican opposition is based largely on "constitutional concerns." However, respected constitutional scholars have argued that a congressional vote for the District is well within the bounds of the Constitution. Former solicitor general Kenneth Starr and Patricia M. Wald, a former chief judge of the U.S. Court of Appeals for the D.C. Circuit, jointly wrote, "There is nothing in our Constitution's history or its fundamental principles suggesting that the Framers intended to deny the precious right to vote to those who live in the capital of the great democracy they founded." Viet Dinh, a Georgetown University law professor and principal author of the USA Patriot Act, argued in a paper submitted to the House Committee on Oversight and Government Reform that it is constitutional to give the District a vote.

Regardless of the outcome of this debate, why would the president—who has committed so much to fighting for democracy around the world—and Republican members of Congress not stand on the side of democracy for the 572,000 residents of the District of Columbia? Who is going to challenge in court the rectification of this centuries-long injustice? And if someone is cruel enough to try, let the Supreme Court decide otherwise.

I want to remind my fellow Republicans that historically our party has been at the forefront of struggles to enfranchise citizens and expand basic rights. It was a Republican Congress, the 38th, that proposed the 13th Amendment to abolish slavery. It was a Republican Congress, the 39th, that proposed the 14th Amendment, guaranteeing due process and equal protection under the law. It was a Republican Congress, the 40th, that proposed the 15th Amendment, guaranteeing citizens the right to vote regardless of their race. And it was a Republican Congress, the 66th, that proposed the 19th Amendment, guaranteeing women the right to vote.

I had hoped that the recent Republican Congress would continue this admirable tradition. The introduction of a D.C. voting rights bill by a Republican, Rep. Tom Davis (Va.), was a good start. Although the bill made it out of committee, unfortunately it never went to the House floor. President Bush and Congress still have the opportunity to advance the democratic cause here at home. And they should, particularly since ours is the only capital city in any of the world's democracies where citizens do not have voting representation in their national legislature.

In doing so, Republican members would uphold a proud tradition as well as be in good company. For generations, respected Republican statesmen have expressed support for voting rights for D.C. residents. Former Senate majority leader Robert Dole, during an earlier voting rights effort, said, "The Republican Party supported D.C. voting representation because it was just, and in justice we could do nothing else." Former Senate minority leader Howard Baker, describing representation in the legislature as the "bedrock of our republic," said that Congress "cannot continue to deny American citizens their right to equal representation in the national government." Former president Richard Nixon said, "It should offend the democratic sense of this nation that the citizens of its capital . . . have no voice in Congress." And former senator Prescott Bush, the president's grandfather, said in 1961, "Congress has treated the District with slight consideration. We have treated it like a stepchild, in comparison with the way we have treated other States. . . . They should also be entitled to representation in the Congress."

It is obvious that this injustice has persisted far too long. Our country's leaders have within their power the ability to address it now. It is time to give the residents of the District of Columbia—who pay federal taxes and who were subject to the military draft—a fundamental right that all other Americans enjoy: our long overdue vote in the United States House of Representatives. I implore the president and Congress to do what I believe they know in their hearts is right.

[From the Washington Times, Mar. 20, 2007]  
D.C. VOTING RIGHTS AND CONGRESSIONAL POLITICS

(By Tod Lindberg)

When I moved to Washington 21 years ago and decided to live in the District rather than Maryland or Virginia, I knew I was voluntarily choosing to forgo something most Americans take entirely for granted, namely, their say in choosing a representative in the House and two members of the Senate. In truth, I was not especially bothered by this lost opportunity for political participation then, nor am I now.

You could say, moreover, that no one lives in the District involuntarily. If voting for a member of Congress and senators is a sufficiently high priority for you, you can probably find your way to a location that allows you to do so. And you could remark, as well, the special constitutional status of the District as precisely not a state, equal among other states, but rather a place where the representatives of all the states, that is, Congress as a whole, has jurisdiction. One might even deem this constitutional provision to have been an innovative and admirable solution to the late 18th-century problem of the undue influence a state might have were it home to the nation's capital.

Nor is the District some sort of island of authoritarianism in a sea of democracies. D.C. residents have for more than a generation enjoyed substantial home-rule powers, including the ability to elect a legislative body, the D.C. Council, and a mayor who has genuine and not merely symbolic power. It is undeniable that Congress second-guesses these locally elected officials from time to time, and indeed reserves the right to intervene on a massive scale in case of local mismanagement, a judgment Congress alone will make, not subject to appeal by local residents. We saw this in the days of the Control Board. But in the ordinary course of events, substantial political decisions are the province of locally elected officials. And

even at the national level, the District is not entirely cut out, since it has three votes in the electoral college that decides the presidency, the same number as the least populous states.

Nevertheless, how exactly is it a good thing that residents of the District, uniquely among American taxpayers, have no representation in Congress? I think critics of the proposal now emerging to replace the District's participation-limited delegate with a full-fledged voting member of Congress owe us an explanation of why it's better for the country for residents of the District not to be able to have a share in selecting a member of the national legislature. That includes the White House, which has expressed opposition to the legislation on constitutional grounds.

If the provision of the Constitution holding that members of Congress shall come from the states (by implication, not from anywhere that isn't a state) is dispositive, then why not let the Supreme Court be the body that says so? Since at least some legal scholars believe that the provision cited is not the last and dispositive word on the subject, why pre-empt the question? Or rather, please, let us hear the reason from the executive branch why the president would choose to pre-empt by asserting his view of the Constitution in his veto message when the legislation gets to his desk.

No, presidents and lawmakers shouldn't be casual about the responsibility they accept in their oaths of office to protect and defend the Constitution. But in this instance, we have a true anomaly, hundreds of thousands of people who lack what every other American taxpayer has, an equal say in the selection of a lawmaker.

It's not obvious that taking action to address this anomaly would harm any other interest the Constitution protects. Oh, one can spin out elaborate and paranoid scenarios, according to which the representative from the District of Columbia becomes the chairperson of a powerful committee and then, uh, well, what exactly? Earmarks federal dollars to construct bike paths in D.C.? Federally funded bike paths may be stupid, but they are no more stupid in the District than in any congressional district.

In fact, addressing this anomaly of disenfranchisement would fit into a centuries-long tradition of expanding the franchise to those whom contemporaneous reasoning now concludes are unreasonably excluded. If taking such action requires a constitutional amendment, let the Supreme Court say so.

It seems to me that the only other possible objection, besides the constitutional one, is politics. And it's a pretty serious one, in that the representative from the District would be a Democrat for the foreseeable future. Why would Republicans be willing to go along with an extra Democrat? But that's the beauty of the proposed legislation: In adding a seat to Republican-friendly Utah, thereby increasing the size of the House from 435 to 437, lawmakers came up with a reasonable way to address a longstanding injustice without harming anyone unduly. They devised a fair political solution to a fair political objection.

They don't do this so often, in the scheme of things, that we should neglect supporting them when they do.

[From Roll Call, Feb. 28, 2007]

#### VOTE FOR D.C.

Now that Democrats have control of the House, it's simply inexplicable that legislation to give voting rights to the District of Columbia's delegate is not moving rapidly toward passage.

Voting rights for D.C. has broad support in the majority party, including that of both

Speaker Nancy Pelosi (Calif.) and House Judiciary Chairman John Conyers (Mich.). Yet no hearings have been scheduled on H.R. 328, co-sponsored by D.C. Del. Eleanor Holmes Norton (D) and Rep. Tom Davis (R-Va.), to give Norton voting rights while giving Utah a fourth Congressional seat and enlarging the House to 437 Members.

The bill does present constitutional problems, as a recent Congressional Research Service report details. Article 1, Section 2 of the Constitution stipulates that the House shall be made up of Members chosen every two years by the people of the several states. Since D.C. is not a state, but a constitutionally designated federal district, a CRS analysis concluded last month that "it is difficult to identify either Constitutional text or existing case law that would directly support the allocation by statute of the power to vote in the full House of the D.C. delegate."

On the other hand, Article 1, Section 8 grants Congress exclusive legislative authority "in all cases whatsoever" over the District. As another CRS report suggested last month, there is a conflict here. We suggest that Congress resolve it by passing the Norton-Davis bill promptly and then await a court test to determine its constitutionality. If the measure is struck down, Congress should look for other methods to grant voting rights to the District, which the principle of representative government demands.

The other options include a constitutional amendment; "retrocession," giving D.C. residents the right to vote in Maryland; and Congressional action making D.C. (or at least part of it) a state. Everyone of these solutions presents a political problem—the fact that D.C. is overwhelmingly Democratic—that the Norton-Davis bill neatly skirted by balancing a vote in D.C. with a vote in overwhelmingly Republican Utah.

Meanwhile, the House has taken symbolic action by giving D.C., as well as other U.S. possessions—Puerto Rico, American Samoa, Guam and the Virgin Islands—a vote when the House meets as a Committee of the Whole. But their votes don't count if they make the difference in the outcome of legislation. This amounts to the right to participate but not to have an effect.

D.C., with about 570,000 residents, has a larger population than Wyoming and is shy by only about 100,000 of matching three other states—which, of course, have two Senators and at least one House Member. We hope that the Democratic Congress will pass a measure granting D.C. full voting rights—and that President Bush will sign it. In the meantime, however, the Judiciary Committee and the House should get on with passing Norton-Davis as an interim step toward justice.

[From the Washington Post, May 3, 2005]

#### A VOTE IN THE HOUSE

WHEN THE HOUSE of Representatives votes on federal taxes or decides solemn questions such as when citizens must go off to war, the District's representative, Eleanor Holmes Norton, has to stand and watch as her Democratic and Republican colleagues decide the fate of her constituents. Despite having served and died in 10 wars and paid billions in federal taxes, D.C. residents are still voteless in Congress. That inexcusable situation exists despite polls showing that the American public favors congressional representation for D.C. residents. Today Rep. Thomas M. Davis III (R-Va.) will launch a second effort to rectify at least half of the problem by sponsoring a bill that gives the District a vote in the House. The measure would still leave the District unrepresented in the Senate. The Davis proposal, however,

is a substantial advance in D.C. voting rights and deserves strong bipartisan support in Congress.

Mr. Davis's measure would achieve the goal of giving the district a single vote by increasing the size of the House by two and reapportioning seats. Given the most recent census, the likely result would be an extra seat for Utah along with the District. And given party registration and voting patterns in the two jurisdictions, the Utah seat is likely to be held by a Republican and the District's by a Democrat. The new arrangement would last, under Mr. Davis's proposal, until the regular 2012 reapportionment, at which time the House would revert to 435 members to be divided by population among the District and the states. No matter what happens to the size of Utah's delegation at that point, the District would keep its seat.

This should be a win-win situation. For those hoping to address the controversy over the last census count, when Utah just barely lost out on a fourth seat, Mr. Davis offers a remedy. As far as the District is concerned, the bill will most assuredly give D.C. residents what Mr. Davis has called "the primary tool of democratic participation: representation in the national legislature."

Unfortunately, blind partisanship may trump democracy unless members take a stand against the present injustice. Fear that the Republican-dominated Utah state legislature would redraw lines to doom a Democratic member of the House caused Democrats to balk at the Davis proposal in the last Congress. We have stated on other occasions our own dislike for the way redistricting is being conducted in most states—amounting to little more than state-sanctioned gerrymandering benefiting incumbents, the majority party or both—and have offered our own thoughts on a proper alternative. However, depriving more than half a million District residents of a fundamental right enjoyed by all other Americans because of partisan politics is neither a proper nor an acceptable response by the Democratic Party. A D.C. vote in the House is the right thing to do. We remain fully committed to the District having two senators as well as representation in the House. The Davis proposal takes the nation's capital halfway there.

[From the Hill]

#### LET D.C. PLAY

The people of the District of Columbia have finally gotten back their rightful representation in Major League Baseball; the Washington Nationals have swiftly become an established and moderately successful National League team. It now seems odd that there were people who argued the D.C. residents already had a local team—by which they meant the Orioles, beyond the Maryland state line in Baltimore. All that has changed; when there is a pennant to be won, the District will no longer have to sit on the sidelines.

Something like this happy event is now possible in the political arena, too, with Rep. Tom Davis's (R-Va.) legislation that would temporarily increase House membership to 437 by giving D.C. one voting seat, and Utah an extra one. After the next census, the number would fall again to 435, but Washington would keep its seat, and the remaining 434 would be divided among the states according to population.

This as it should be. It is an injustice and an embarrassment that people who live in the nation's capital are disenfranchised. They have no less a moral right to a say in the policies that govern them than any other American citizens. It is pleasing that they now have another chance of acquiring the



legal right as well. No partisan calculations should cloud principle when lawmakers vote on this issue. Davis's bill deserves to become law.

If the baseball analogy may be stretched yet further, however, it is also worth noting that the new team did not adopt the same name as the team that abandoned Washington a generation ago: the Senators. There are those who argue that the District should also have two senators in the upper chamber of Capitol Hill, but the case for this is less convincing than for voting representation in the House.

The House is a proportional body, in that seats are apportioned according to population numbers. But the Senate is not representative in that way—never was, and never was intended to be. Indeed it was, as is often being said these days, designed as a counter-weight to the power of the more purely representative body. Tiny states such as Delaware and Wyoming have two senators, just as huge ones such as California and Texas have two. Until the passage of the 17th Amendment in 1913, senators generally were chosen by state legislatures rather than directly elected by the people.

Senate representation is the preserve of formal statehood and there are reasonable arguments on both sides as to whether D.C. should become a state. Whatever the dispute in principle, however, there is no chance of D.C. statehood soon. Perhaps it will come, but for now it's enough that House representation is on the table again.

[From Roll Call, May 4, 2005]

#### GIVE D.C. A VOTE

If the District of Columbia were a state, it would rank third in per-capita income taxes paid to the federal government. In America's wars of the 20th century, the District suffered more casualties than several states did. So there is no excuse for the nation to continue to leave D.C. residents without any representation in Congress.

Ideally, the District should be represented in both the House and Senate, as called for in Democratic-backed legislation introduced by D.C. Del. Eleanor Holmes Norton (D) and Sen. Joe Lieberman (D-Conn.). Unfortunately, that bill has zero chance of passing and being signed into law. So, as an interim measure—and we acknowledge it may be a long interim—we urge leaders of both parties to get behind the bill just reintroduced by Rep. Tom Davis (R-Va.) to give D.C. a vote in the House. The measure would temporarily enlarge the House by two, adding one seat for the District and one for heavily Republican Utah—a constructive nod toward the partisan balance that seems to be a prerequisite for passage.

The Constitution gives Congress all the power it needs to give D.C. a vote in Congress. In fact, Congress has the power “to exercise exclusive legislation in all cases whatsoever” over the capital district. Legal scholars, including conservatives such as former federal appeals court judge Kenneth Starr, agree that the Constitution permits Congress free rein on the issue of representation. While statehood would require a constitutional amendment, voting representation would not.

We're glad to see that the idea of giving the District representation has attracted the support of Republicans. Davis' measure has 11 GOP co-sponsors, including two from Utah. Two other bills, both of which would give D.C. residents voting rights in Maryland by different means, are also sponsored by Republicans, Reps. Dana Rohrabacher (Calif.) and Ralph Regula (Ohio).

Unfortunately, the GOP sponsors have not been able to interest their party's leaders in

their measures. In fact, when Republicans took control of the House in 1995, one of their first acts was to reverse a Democratic rule allowing the D.C. Delegate to vote in the Committee of the whole House when that vote was not decisive in the outcome. We hope that Davis, the influential chairman of the Government Reform Committee and former chairman of the National Republican Congressional Committee, can convince his leaders of the merits of the cause.

Some Democrats have been opposed, both because they support full representation and because they fear that Utah's GOP-dominated Legislature might eliminate the state's lone Democratic district in the process of a mid-decade reapportionment. The state's GOP Members should pledge not to pursue such a course.

There's not much that Republicans and Democrats are doing together in this Congress. One thing that they can do, however, is expand democracy right in their own backyard.

[From Human Events.com, Mar. 17, 2007]

#### WHY I VOTED FOR D.C. REPRESENTATION IN THE HOUSE

(By Rep. Mike Pence)

Last week in the House Judiciary Committee, I voted in favor of legislation granting the residents of the District of Columbia the right to full voting representation in the House of Representatives. I believe this legislation is a constitutional remedy to a historic wrong. While many have focused on the political consequences of such a move, the only question for a Member of Congress on such matters is this: what does justice demand and what does the Constitution of the United States permit Congress to do to remedy this wrong?

The fact that more than half a million Americans living in the District of Columbia are denied a single voting representative in Congress is clearly a historic wrong and justice demands that it be addressed. At the time of the adoption of our present system of government, the federal city did not exist apart from a reference in the Constitution. When the District of Columbia opened for business in 1801, only a few thousand residents lived within her boundaries. Among the founders, only Alexander Hamilton would foresee the bustling metropolis that Washington, D.C. would become and he advocated voting representation for the citizens of the District.

The demands of history in favor of representation for the Americans living in Washington, D.C. is compelling. In establishing the republic, the single overarching principle of the American founding was that laws should be based upon the consent of the governed. The first generation of Americans threw tea in Boston harbor because they were denied a voting representative in the national legislature in England. Given their fealty to representative democracy, it is inconceivable to me that our Founders would have been willing to accept the denial of representation to so great a throng of Americans in perpetuity.

But the demands of justice are not enough for Congress to act. Under the principles of limited government, a republic may only take that action which is authorized by the written Constitution.

In this regard, I believe that the legislation moving through the Congress is constitutional. And I am not alone in this view. In support of this legislation, Judge Kenneth Starr, former independent counsel and U.S. solicitor general observed, “there is nothing in our Constitution's history or its fundamental principles suggesting that the Framers intended to deny the precious right to

vote to those who live in the capital of the great democracy they founded”.

Opponents of D.C. Voting understandably cite the plain language of Article I that the House of Representatives be comprised of representatives elected by “the people of the several states”. If this were the only reference to the powers associated with the federal city, it would be most persuasive but it is not. Article I, Section 8, Cl. 17 provides, “The Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever” over the District of Columbia.

Justice Antonin Scalia observed in 1984, that the Seat of Government Clause, gives Congress “extraordinary and plenary” power over our nation's capital. Scalia added that this provision of the Constitution “enables Congress to do many things in the District of Columbia which it has no authority to do in the 50 states. . . . There has never been any rule of law that Congress must treat people in the District of Columbia exactly the same as people are treated in various states”. *United States v. Cohen*, 733 F.2d 128, 140 (D.C. Cir. 1984)

And Congress has used this power to remedy the rights of Americans in the District of Columbia in the past. In 1949, the Supreme Court upheld legislation that extended access to the federal courts even though Article III expressly limited the jurisdiction of the federal courts to suits brought by citizens of different states. As Judge Starr observed, “the logic of this case applies here, and supports Congress's determination to give the right to vote for a representative to citizens of the District of Columbia”.

None of which argues for the District of Columbia to ever be granted the right to elect members of the United States Senate. In the most profound sense, from the inception of our nation, the House of Representatives was an extension of the people. I believe our founders left us the tools in the Constitution to ensure that all the American people have a voice in the people's house.

The Senate, from the inception of our nation, was an extension of the states. Senators were appointed by state legislatures until 1915. The Senate was and remains the expression of the principle of federalism in the national legislature and should ever be so. If the people of the District of Columbia would like two seats in the United States Senate, they will have to become a state.

The old book tells us what is required, “do justice, love kindness and walk humbly with your God.” I believe that justice demands we right this historic wrong. The American people should have representation in the people's house. I believe that kindness demands that, like Republicans from Abraham Lincoln to Jack Kemp, we do the right thing for all Americans regardless of race or political creed. And I believe humility demands that we do so in a manner consistent with our constitution, laws and traditions. The D.C. Voting bill meets this test and I am honored to have the opportunity to continue to play some small role in leading our constitutional republic ever closer to a more perfect union.

Ms. NORTON. Madam Speaker, has the gentleman yielded back his time?

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. NORTON. Madam Speaker, I want to end this debate by finally letting genuine constitutional scholars speak to this bill.

To guarantee the Framers' promise to the citizens of Maryland and Virginia, who contributed their land to form this Capital City, the very first Congress enforced the District clause of the Constitution by law, guaranteeing the status quo during the 10-



year transition period, and they said, by law thereafter, as memorialized in the Constitution itself.

The Framers had left Congress fully armed with "exclusive jurisdiction in all cases whatsoever," which former Court of Appeals Judge Kenneth Starr, who testified in favor of the bill, said, left Congress with power "majestic in scope."

Professor Viet Dinh, President Bush's former Attorney General for Legal Policy, his point man on the Constitution in the Ashcroft Justice Department, testified in two separate committees that the bill is constitutional. He said that since the birth of the Republic, the courts and the Congress itself have treated the District as a State in treaties and in statutes and in applying the Constitution to the city. Members who reject the views even of conservative scholars and of the Supreme Court and the Federal courts supporting their views should be confident to send this bill to a conservative Supreme Court.

Members are elected officials who can neither run nor hide behind their personal and inexperienced views on the Constitution. Another branch will be held fully accountable for that weighty decision. Our decision, in just a few minutes, is just as weighty, today when the world sees us at war, we say, to spread democracy and wants to know whether we practice democracy or merely preach it. Our decision comes down to whether this House wants to be remembered for granting the vote or denying it, and whether this place will be the people's House or the House for some of the people.

Mr. WYNN. Madam Speaker, I represent the 4th District of Maryland which abuts the District of Columbia. These citizens are our friends, neighbors, and relatives. It is time to give the citizens of the District of Columbia full representation in the House of Representatives. It is time to end the injustice of "taxation without representation" for the District and give these good citizens the right to vote.

For 206 years, the citizens of the District of Columbia have paid taxes, served in the military and worked hard for this great country and yet, for over 200 years these citizens have been denied the right to representation. The United States is the only democracy in the world that, to date, has deprived the residents of its capital city full voting representation.

We have sent thousands of soldiers overseas and spent billions of dollars fighting to bring democracy to the rest of the world. We must stand on the side of democracy in our country and give our own citizens in the District of Columbia the right to vote and an opportunity for full representation in this great democracy.

Mr. LANGEVIN. Madam Speaker, I rise today in support of H.R. 1433, the District of Columbia Fair and Equal House Voting Rights Act of 2007.

Today, the House of Representatives has a chance to correct an injustice that affects the nearly 600,000 residents of the District of Columbia. These citizens pay Federal taxes, serve in our military and the Federal Govern-

ment and graciously host millions of American and foreign tourists every year, yet they remain unable to have their views represented in Congress. It is indeed ironic that the capital of our Nation, where our government and many non-governmental organizations work to promote freedom and liberty in other countries, is not representative of the ideals that we urge others to value. We have the chance to rectify this glaring problem today.

One of the primary justifications of the American Revolution was our forefathers' opposition to "taxation without representation." Indeed, in my home town Warwick, angry Rhode Islanders attacked and burned the British customs ship H.M.S. *Gaspee* in 1772 to demonstrate their opposition to British rule—one of the earliest acts of rebellion leading to the American Revolution. Fortunately, the residents of the District of Columbia have not resorted to such extreme tactics to achieve justice, but they have been more than patient, waiting more than 200 years for a right that is enjoyed by 300 million other Americans.

The bipartisan legislation before us today would give the District of Columbia a voting member in the House, as well as create a second new seat for Utah, thereby raising the number of Members in the House to 437. It would finally grant Washingtonians a voice in Federal legislation involving health, governance, budgeting, taxes, gun control and other matters directly affecting their lives and livelihoods. Our current system of disenfranchisement for District residents does not befit a nation as noble as the United States, and it is time for change.

Madam Speaker, I encourage my colleagues to support H.R. 1433 so that we may grant fair representation to the residents of Washington, DC.

Mr. CANNON. Madam Speaker, today, the House is presented with a unique opportunity to address two prevailing problems with representation in the House.

One relates to whether the District is entitled to a Representative and the other whether Utah is owed an additional seat in Congress because of the illegitimate counting of residents after the 2000 census.

Utah lost out on a 4th seat because of a census bureau decision to count, and to enumerate to their respective home States, government employees residing temporarily abroad, but not count similarly situated missionaries.

Had the Bureau either not counted any Americans residing temporarily abroad, or counted all such Americans and not just those employed by the Federal Government, Utah would have been awarded a fourth seat.

Although this legislation provides Utah the seat it deserves and was denied in the 2000 census, I do have concerns with the language in the bill which ties the hands of the Utah legislature.

The preemption language is offensive and demeans the historic role of States in the reapportionment process.

I offered an amendment that was rejected by the Rules Committee on a 7-4 vote that would have simply removed the language of the bill mandating the "at large" seat in Section 4 and left it to the State to decide.

The amendment would have changed "shall" to "may", and would not have prohibited an at large seat, but rather would have provided Utah the opportunity to choose whether to redistrict or not.

The intent of my amendment was to reaffirm the role of the State in the decisionmaking process, but the Democrats treated the 10th Amendment of the Constitution as words without meaning by rejecting my amendment.

Although I will vote in favor of this legislation, as this bill moves forward I will continue my efforts to push for inclusion of my amendment to protect the State's role in the process.

Mr. SHAYS. Madam Speaker, as an original cosponsor of H.R. 1433, I am pleased we are moving quickly to consider this legislation, to finally give Washington, DC voting rights in the House of Representatives.

This bill would establish the District of Columbia as a congressional district and thus grant the citizens of the District representation in Congress.

The legislation also would grant an additional congressional seat to Utah based on the results of the 2000 Census.

Unlike some previous versions of this legislation, H.R. 1433 would make these two seats permanent.

The Oversight and Government Reform Committee has led the charge on granting the city of Washington, DC the right to have a full vote in the House of Representatives.

The citizens of the District pay Federal taxes, so it is only right they have a say in Federal affairs.

Madam Speaker, I urge the support of this important and historic legislation.

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today in opposition to H.R. 1422, the District of Columbia House Voting Rights Act.

Our Constitution clearly states that Members of Congress should be chosen by residents of States.

However much we might revere our Nation's capital and appreciate its residents, our Founders decided not to make it a State.

In fact, Alexander Hamilton offered an amendment at the 1788 Constitution ratification convention to give D.C. representation in the House, but his amendment was rejected.

In 1978, the 95th Congress passed a similar amendment, but only 16 of the required 38 States ratified it in the 7 year time period before it expired.

The message from these votes is clear: only residents of States may have representation in Congress.

The Constitution lays out a method for adding a new State to our Nation.

If we truly want D.C. to have congressional representation, we can either work to make D.C. a State, make it part of an existing State, or we can either amend the Constitution, like the 95th Congress attempted to do.

And if we actually did this the right way, we wouldn't spend years in litigation while D.C. residents' votes hang in the balance.

Listen up America! This bill is merely a shortcut around the tools we have at our disposal, and is therefore blatantly unconstitutional.

I urge a "no" vote on this bill.

Mr. BLUMENAUER. Madam Speaker, I strongly support the DC House Voting Rights Act. It is long overdue to give the nearly two-thirds of a million residents of our Nation's Capital the fundamental right of representation.

This is not a partisan issue. Maintaining a fair and responsive government is a duty that transcends politics.

This legislation fairly addresses both parties by granting one seat in the House to the District and one additional seat to Utah, which is next in line to receive an additional House seat based on its population. This elegant and equitable solution leaves the overall composition of the House unchanged as the District seat is anticipated to be Democratic and the Utah seat Republican.

Given this bipartisan spirit, I am disappointed that the administration is fighting to deny citizens their basic voting rights. I hope the President has the good sense to withdraw his veto threat. Any concerns this administration has regarding this bill's constitutional appropriateness are best left up to the judicial branch to clarify.

I am proud to support this important legislation and urge its speedy passage into law. Residents of the District have waited long enough.

Ms. NORTON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 260, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SMITH  
OF TEXAS

Mr. SMITH of Texas. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SMITH of Texas. I am, Madam Speaker, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Smith of Texas moves to recommit the bill H.R. 1433 to the Committee on Oversight and Government Reform with instructions to report the same back to the House promptly with the following amendment:

Add at the end the following new section:

#### SEC. 6. DISTRICT OF COLUMBIA PERSONAL PROTECTION.

(a) REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT FIREARMS.—Section 4 of the Act entitled "An Act to prohibit the killing of wild birds and wild animals in the District of Columbia", approved June 30, 1906 (34 Stat. 809; sec. 1-303.43, D.C. Official Code) is amended by adding at the end the following: "Nothing in this section or any other provision of law shall authorize, or shall be construed to permit, the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons not prohibited from possessing firearms under Federal law from acquiring, possessing in their homes or businesses, or using for sporting, self-protection or other lawful purposes, any firearm neither prohibited by Federal law nor subject to the National Firearms Act. The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms."

(b) REPEAL D.C. SEMIAUTOMATIC BAN.—

(1) IN GENERAL.—Section 101(10) of the Firearms Control Regulations Act of 1975 (sec. 7-2501.01(10), D.C. Official Code) is amended to read as follows:

"(10) 'Machine gun' means any firearm which shoots, is designed to shoot, or can be readily converted or restored to shoot automatically, more than 1 shot by a single function of the trigger, and includes the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person."

(2) CONFORMING AMENDMENT TO PROVISIONS SETTING FORTH CRIMINAL PENALTIES.—Section 1(c) of the Act of July 8, 1932 (47 Stat. 651; sec. 22-4501(c), D.C. Official Code) is amended to read as follows:

"(c) 'Machine gun', as used in this Act, has the meaning given such term in section 101(10) of the Firearms Control Regulations Act of 1975."

(c) REPEAL REGISTRATION REQUIREMENT.—

(1) REPEAL OF REQUIREMENT.—

(A) IN GENERAL.—Section 201(a) of the Firearms Control Regulations Act of 1975 (sec. 7-2502.01(a), D.C. Official Code) is amended by striking "any firearm, unless" and all that follows through paragraph (3) and inserting the following: "any firearm described in subsection (c)."

(B) DESCRIPTION OF FIREARMS REMAINING ILLEGAL.—Section 201 of such Act (sec. 7-2502.01, D.C. Official Code) is amended by adding at the end the following new subsection:

"(c) A firearm described in this subsection is any of the following:

"(1) A sawed-off shotgun.

"(2) A machine gun.

"(3) A short-barreled rifle."

(C) CONFORMING AMENDMENT.—The heading of section 201 of such Act (sec. 7-2502.01, D.C. Official Code) is amended by striking "Registration requirements" and inserting "Firearm Possession".

(2) CONFORMING AMENDMENTS TO FIREARMS CONTROL REGULATIONS ACT.—The Firearms Control Regulations Act of 1975 is amended as follows:

(A) Sections 202 through 211 (secs. 7-2502.02 through 7-2502.11, D.C. Official Code) are repealed.

(B) Section 101 (sec. 7-2501.01, D.C. Official Code) is amended by striking paragraph (13).

(C) Section 401 (sec. 7-2504.01, D.C. Official Code) is amended—

(i) in subsection (a), by striking "the District;" and all that follows and inserting the following: "the District, except that a person may engage in hand loading, reloading, or custom loading of ammunition for firearms lawfully possessed under this Act."; and

(ii) in subsection (b), by striking "which are unregistrable under section 202" and inserting "which are prohibited under section 201".

(D) Section 402 (sec. 7-2504.02, D.C. Official Code) is amended—

(i) in subsection (a), by striking "Any person eligible to register a firearm" and all that follows through "such business," and inserting the following: "Any person not otherwise prohibited from possessing or receiving a firearm under Federal or District law, or from being licensed under section 923 of title 18, United States Code,;" and

(ii) in subsection (b), by amending paragraph (1) to read as follows:

"(1) The applicant's name;"

(E) Section 403(b) (sec. 7-2504.03(b), D.C. Official Code) is amended by striking "registration certificate" and inserting "dealer's license".

(F) Section 404(a)(3) (sec. 7-2504.04(a)(3)), D.C. Official Code) is amended—

(i) in subparagraph (B)(i), by striking "registration certificate number (if any) of the firearm,;"

(ii) in subparagraph (B)(iv), by striking "holding the registration certificate" and inserting "from whom it was received for repair";

(iii) in subparagraph (C)(i), by striking "and registration certificate number (if any) of the firearm";

(iv) in subparagraph (C)(ii), by striking "registration certificate number or";

(v) in subparagraph (D)(ii), by striking "or registration number"; and

(vi) in subparagraph (E), by striking clause (iii) and redesignating clauses (iv) and (v) as clauses (iii) and (iv).

(G) Section 406(c) (sec. 7-2504.06(c), D.C. Official Code) is amended to read as follows:

"(c) Within 45 days of a decision becoming effective which is unfavorable to a licensee or to an applicant for a dealer's license, the licensee or application shall—

"(1) lawfully remove from the District all destructive devices in his inventory, or peaceably surrender to the Chief all destructive devices in his inventory in the manner provided in section 705; and

"(2) lawfully dispose, to himself or to another, any firearms and ammunition in his inventory."

(H) Section 407(b) (sec. 7-2504.07(b), D.C. Official Code) is amended by striking "would not be eligible" and all that follows and inserting "is prohibited from possessing or receiving a firearm under Federal or District law."

(I) Section 502 (sec. 7-2505.02, D.C. Official Code) is amended—

(i) by amending subsection (a) to read as follows:

"(a) Any person or organization not prohibited from possessing or receiving a firearm under Federal or District law may sell or otherwise transfer ammunition or any firearm, except those which are prohibited under section 201, to a licensed dealer."

(ii) by amending subsection (c) to read as follows:

"(c) Any licensed dealer may sell or otherwise transfer a firearm to any person or organization not otherwise prohibited from possessing or receiving such firearm under Federal or District law."

(iii) in subsection (d), by striking paragraphs (2) and (3); and

(iv) by striking subsection (e).

(J) Section 704 (sec. 7-2507.04, D.C. Official Code) is amended—

(i) in subsection (a), by striking "any registration certificate or" and inserting "a"; and

(ii) in subsection (b), by striking "registration certificate."

(3) OTHER CONFORMING AMENDMENTS.—Section 2(4) of the Illegal Firearm Sale and Distribution Strict Liability Act of 1992 (sec. 7-2531.01(2)(4), D.C. Official Code) is amended—

(A) in subparagraph (A), by striking "or ignoring proof of the purchaser's residence in the District of Columbia"; and

(B) in subparagraph (B), by striking "registration and".

(d) REPEAL HANDGUN AMMUNITION BAN.—

(1) DEFINITION OF RESTRICTED PISTOL BULLET.—Section 101(13a) of the Firearms Control Regulations Act of 1975 (sec. 7-2501.01(13a)) is amended to read as follows:

"(13a)(A) 'Restricted pistol bullet' means—

"(i) a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or

“(ii) a full-jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

“(B) The term ‘restricted pistol bullet’ does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile which the Attorney General of the United States (pursuant to section 921(a)(17) of title 18, United States Code) finds is primarily intended to be used for sporting purposes, or any other projectile or projectile core which the Attorney General finds is intended to be used for industrial purposes, including a charge used in an oil and gas well perforating device.”.

(2) REPEAL OF BAN.—Section 601 of the Firearms Control Regulations Act of 1975 (sec. 7-2506.01, D.C. Official Code) is amended—

(A) by striking “ammunition” each place it appears (other than paragraph (4)) and inserting “restricted pistol bullets”; and

(B) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(e) RESTORE RIGHT OF SELF DEFENSE IN THE HOME.—Section 702 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.02, D.C. Official Code) is repealed.

(f) REMOVE CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS.—

(1) IN GENERAL.—Section 706 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.06, D.C. Official Code) is amended—

(A) by striking “that:” and all that follows through “(1) A” and inserting “that a”; and

(B) by striking paragraph (2).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

(g) REMOVE CRIMINAL PENALTIES FOR CARRYING A FIREARM IN ONE'S DWELLING OR OTHER PREMISES.—

(1) IN GENERAL.—Section 4(a) of the Act of July 8, 1932 (47 Stat. 651; sec. 22—4504(a), D.C. Official Code) is amended—

(A) in the matter before paragraph (1), by striking “a pistol,” and inserting the following: “except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded, a firearm,”; and

(B) by striking “except that:” and all that follows through “(2) If the violation” and inserting “except that if the violation”.

(2) TREATMENT OF CERTAIN EXCEPTIONS.—Section 5(a) of such Act (47 Stat. 651; sec. 22—4505(a), D.C. Official Code) is amended—

(A) by striking “pistol” each place it appears and inserting “firearm”; and

(B) by striking the period at the end and inserting the following: “, or to any person while carrying or transporting a firearm used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a firearms or hunter safety class, trapping, or a dog obedience training class or show, or the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition while the person is engaged in, on the way to, or returning from that activity if each firearm is unloaded and carried in an enclosed case or an enclosed holster, or to any person carrying or transporting a firearm in compliance with sections 926A, 926B or 926C of title 18, United States Code.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to violations occurring after the 60-day

period which begins on the date of the enactment of this Act.

Mr. SMITH of Texas (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. CONYERS. Madam Speaker, I object.

The SPEAKER pro tempore. The Clerk will read.

The Clerk continued reading the motion to recommit.

Mr. CONYERS (during the reading). Madam Speaker, I withdraw any objection.

The SPEAKER pro tempore. Without objection, the motion is considered as read and printed in the RECORD.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Speaker, the motion to recommit I have offered contains a bipartisan proposal by Representatives MIKE ROSS and MARK SOUDER, the District of Columbia Personal Protection Act.

My colleagues on the other side of the aisle have suggested today that District of Columbia citizens have the right to vote in Congress. If that is the case, then they must also agree that the citizens of the District should have a constitutionally guaranteed right to possess firearms.

Currently, D.C. citizens are prevented from owning any handgun at all. Even those who lawfully own and store a rifle or shotgun are prohibited from using them to defend themselves, their families or their homes.

District law threatens honest people with imprisonment if they unlock, assemble or load their guns even under attack. Although the District has the most stringent gun control laws in the Nation, they still suffer from one of the highest murder rates. Since January 1 of this year alone, 35 people have been murdered in the District. Last year over 150 people were murdered, and 2,000 suffered gun assaults.

This violence continues unabated, despite the strict gun control laws. It is time to restore the rights of law-abiding citizens to protect themselves and to defend their families.

On March 9, 2007, the U.S. Court of Appeals for the District of Columbia Circuit struck down some, but not all, of the District of Columbia's gun control laws as unconstitutional. The court agreed with the U.S. Court of Appeals for the Fifth Circuit, the Justice Department and constitutional scholars, present and past, that the second amendment protects the right of individuals to possess firearms. This court decision, which will continue to wind its way through the judicial system, compels Congress to act now to protect all second amendment rights.

Mr. Speaker, the prohibition of firearms in the District of Columbia is as

ineffective as it is unconstitutional. It is high time we rectify this wrong.

I urge my colleagues to support this measure.

Madam Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. SOUDER), who in the last Congress passed a piece of legislation very similar to the motion to recommit that we consider now.

Mr. SOUDER. I thank Mr. SMITH for his leadership on this motion to recommit and his long-standing leadership in the Judiciary Committee, and for including the Personal Protection Act in our motion to recommit.

This has been passed by the House in two different forms, in the appropriations bill and as a free-standing bill. It is the first clear gun control vote, and possibly the only one we will have this year. It is a matter of whether you believe the District of Columbia should have the second amendment.

We can dispute what the Constitution says in other areas, but clearly the Constitution says that people have the right to own and bear arms for self-protection. This legislation has been upheld now, in terms of homes, by the D.C. District Court, but it is only a district court ruling. This would codify it, make it clear that there are not second-class citizens on this second amendment.

D.C., while it has had a decline in the homicide rate, it is less than the rest of the country, it has led the country repeatedly. It is five times the national average in murders, in spite of having the most stringent gun control law that restricts the right to bear arms. Up until the D.C. court ruling, for a gun in your home you had to have it locked, disassembled, with a key in another location, without the bullets in it. And when a criminal came into your house, you would have to go find the key for the cabinet, put your gun together, go find a bullet to protect yourself. This needs to be codified by Congress that we passed multiple times.

The majority of Members of Congress are sponsors of this bill, and we need to make sure that the District of Columbia residents have this protection. There are many charges made, false charges, machine guns, all this type of stuff. This is the same right that people throughout America have that has been constitutionally upheld, and if we can pass this law, we will once again make the citizens of the District of Columbia have the same second amendment rights as the rest of America.

#### H.R. 1399, THE DISTRICT OF COLUMBIA PERSONAL PROTECTION ACT

##### WHAT WOULD THE LEGISLATION DO?

H.R. 1399 would allow law-abiding citizens of the District of Columbia (D.C.) to exercise their second amendment right to own rifles, shotguns and handguns by repealing the current draconian registration requirements and bans. More specifically, it would: repeal the registration requirements for firearms; eliminate criminal penalties for possession of firearms; repeal the ban on semi-automatic firearms; repeal the ban on the possession of ammunition; permit the storage of

armed firearms in one's home or place of business; and eliminate the criminal penalties for carrying a handgun in a person's home or business.

H.R. 1399 would not affect any law directed at true criminal conduct, and would leave in place strict penalties for gun possession by criminals and for violent crime committed with guns.

#### WHAT ARE D.C.'S CURRENT GUN LAWS?

Washington, D.C. has perhaps the most restrictive gun control law in the United States. Yet, at the same time, Justice Department figures show that the District is usually "the murder capital" of the country. It's no coincidence that when law-abiding Americans are unable to defend themselves and their families, violent crimes and murder will increase. Here are some of the particulars of the current D.C. law:

All handguns are banned unless they were owned and registered in the District before 1977;

The citizens of the District—even the few remaining legal handgun owners—are prohibited from even carrying their handguns in their own homes;

All guns must be registered with the Metropolitan Police Department;

Even rifles and shotguns that can be legally registered and owned in the District, must be stored unloaded, and disassembled or locked—rendering them useless for self-defense—unless the gun is kept at a place of business. Apparently the D.C. government thinks it's more important to let people protect their business assets than to protect their homes and families;

The D.C. Code absurdly defines many (if not most) semi-automatic firearms as "machine guns" based on their ammunition capacity, rather than on how they work. This definition is totally inconsistent with federal law.

The "District of Columbia Personal Protection Act" would fix each of these injustices and restore constitutional self-defense rights to the law-abiding citizens of the District.

Under this bill, D.C. citizens would enjoy the same self-defense rights as residents of the 50 states. The bill would allow honest citizens to own rifles, shotguns and handguns, without the current bureaucratic registration requirements. And it would allow law-abiding people to use guns to protect their homes and families.

The bill would not affect any law directed at true criminal conduct, and would leave in place strict penalties for gun possession by criminals and for violent crime committed with guns.

#### HAS D.C.'S GUN BAN WORKED?

The "gun control capital" of the United States is repeatedly also the violent crime and murder capital of the nation—not coincidentally.

Prior to the enactment of the gun ban, the homicide rate in D.C. had been declining, but it increased after the ban was imposed in 1976. By 1991, D.C.'s homicide rate had risen more than 200 percent. By comparison, the U.S. homicide rate rose only 12 percent during the same period. As of 2002, D.C.'s homicide rate is almost double the rate when its handgun ban took effect. As of 2002, it is almost five times higher than the national average. (Source: FBI, Metropolitan Police of the District of Columbia).

According to Justice Department crime statistics, 2003 saw D.C. once again earn its infamous distinction as murder capital of America. It was the 15th time in 16 years that the District has earned this dubious distinction. (Source: Bureau of Justice Statistics).

A January 2004 Centers for Disease Control and Prevention (CDC) report found no con-

clusive evidence that gun control laws help prevent violent crime, suicides or accidental injuries in the United States. The national task force of healthcare and community experts found "insufficient evidence" that bans on specific guns, waiting periods for gun buyers and other such laws changed the incidence of murder, rape, suicide and other types of violence.

#### WHAT'S THE CONSTITUTIONAL JUSTIFICATION FOR H.R. 1399?

On March 9, 2007, the U.S. Court of Appeals for the D.C. Circuit overturned D.C.'s gun control law, ruling it unconstitutional. The majority wrote (in a 2-1 decision):

"To summarize, we conclude that the Second Amendment protects an individual right to keep and bear arms. That right existed prior to the formation of the new government under the Constitution and was premised on the private use of arms for activities such as hunting and self-defense, the latter being understood as resistance to either private lawlessness or the depredations of a tyrannical government (or a threat from abroad). In addition, the right to keep and bear arms had the important and salutary civic purpose of helping to preserve the citizen militia. The civic purpose was also a political expedient for the Federalists in the First Congress as it served, in part, to placate their Anti-federalist opponents. The individual right facilitated militia service by ensuring that citizens would not be barred from keeping the arms they would need when called forth for militia duty. Despite the importance of the Second Amendment's civic purpose, however, the activities it protects are not limited to militia service, nor is an individual's enjoyment of the right contingent upon his or her continued or intermittent enrollment in the militia."

The U.S. Appeals Court also concluded that the current D.C. law "... amounts to a complete prohibition on the lawful use of handguns for self-defense. As such, we hold it unconstitutional."

In addition, the Appeals Court rejected the argument that the second amendment does not apply to D.C. because it is not a state.

#### HOW DOES "HOME RULE" FIT INTO THIS?

Article I, Section 8 of the U.S. Constitution grants Congress the power "To exercise exclusive Legislation in all Cases whatsoever" over the District.

When Congress chose to delegate home rule to the District in the 1970s, it specified that legislation by the District must be "consistent with the Constitution of the United States" and "reserve[d] the right, at any time, to exercise its constitutional authority as legislature for the District, by enacting legislation for the District on any subject". (District of Columbia Self-Government and Governmental Reorganization Act (P.L. 93-198), secs. 302 and 601.) Numerous court cases have reaffirmed congressional authority over the District.

Mr. CONYERS. Madam Speaker, I rise in opposition to this motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. This is the most startling double hypocrisy I have ever heard of on a bill of this magnitude. Very clever, whoever dreamed this up. The motion to recommit would deny everyone in this House the right to vote on whether citizens would gain the right to vote, and at the same time arm them with military-type weaponry that is being used in Iraq right now to

destroy aircraft and bring down helicopters.

We would also repeal the District's strong ban on handgun ammunition that can pierce body armor worn by police officers and other law enforcement officials at a time when security has become a top priority in the District, making military-style assault weapons readily available.

Now, the most important person I have ever met in my life, with due respect to all the great people I have had the honor of working with as a Member of Congress, is Martin Luther King, Jr. If he is looking down on us now to see if we are working for justice and peace in our country, in our Capital and throughout the world, I am sure he would be as dismayed as I am by putting a gun control vote up for a motion to recommit.

Madam Speaker, I yield 1 minute to the gentleman from Virginia, Mr. DAVIS.

Mr. TOM DAVIS of Virginia. Let me just say to my colleagues, I think the gun ban in the District is ridiculous, and I would join with my colleagues in overturning it. The problem is this motion doesn't do that. Instead of bringing this motion back to the floor forthwith for a vote up or down to continue this resolution and send it to the Senate with the gun ban, it sends it back to the committee; is that correct, Mr. SMITH? It does not send it back to the floor, this sends it to committee. So essentially this vote doesn't go anywhere. You can get your vote on gun rights, but it kills the bill, and that is the intention of this. And it is put there to put Members in a difficult situation. If you want to get a vote on District voter rights, you have to vote against this.

I would hope that we can have a free vote on the District gun ban later on. The courts have overturned it. I don't think it is a good law. But this doesn't overturn it because this kills the bill, and with it kills the amendment.

I would urge my colleagues to reject it.

Mr. CONYERS. I thank the gentleman.

I now turn to the gentlewoman from the District of Columbia, ELEANOR HOLMES NORTON, and recognize her at this time.

Ms. NORTON. I ask my colleagues not to be fooled. The House will give you plenty of times to vote on guns in the District of Columbia. This is not a motion to recommit, it is a motion to shoot the bill dead.

Most of the time you can vote for the motion to recommit and still save the bill. Not true here. If you vote for the motion to recommit, you will kill this bill. Please do not do it.

This matter is in the courts. No matter what we do here, it is a nullity because it is now in the Federal courts, and it is in the Federal courts, on a constitutional question, and that will rule the day.

These people are trying to kill voting rights for the District of Columbia.

They have prevailed on guns here before, they will do it again. Those of you who are for guns and for voting rights for the District of Columbia, vote against the motion to recommit or else you are voting against voting rights for the residents of the District of Columbia.

□ 1415

Mr. CONYERS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 260, further proceedings on the bill will be postponed.

#### PARLIAMENTARY INQUIRIES

Mr. SOUDER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SOUDER. Did I understand because of the motion to recommit that the gentleman from Michigan has asked us to not vote and delay proceedings?

I didn't understand the ruling of the Chair.

The SPEAKER pro tempore. Further proceedings have been postponed.

Mr. LINDER. Parliamentary inquiry, please.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINDER. What I heard the Speaker say was under the rule it is postponed.

The SPEAKER pro tempore. The gentleman is correct.

Mr. LINDER. Is it in the rule that there will be no vote on this issue?

The SPEAKER pro tempore. Consideration of H.R. 1433 has been postponed under section 2 of House Resolution 260.

Mr. SOUDER. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SOUDER. Proceeding on this bill or on all things in front of the House?

The SPEAKER pro tempore. Further proceedings on this bill have been postponed.

Mr. CONYERS. Regular order, Madam Speaker.

Mr. BOEHNER. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOEHNER. Madam Speaker, there is a motion to recommit that is under consideration on the floor at this moment. Wouldn't it be appropriate for the House to continue to finish the work on this motion before further legislative action is postponed? Because there is, in fact, a pending question before the House.

The SPEAKER pro tempore. The Chair is operating under section 2 of the rule, and will state it: "During consideration of H.R. 1433 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consider-

ation of the bill to a time designated by the Speaker."

Mr. BOEHNER. Madam Speaker, the Chair recognized the gentleman from Texas for a motion to recommit. The motion, in fact, has been debated. To stop before we complete action on that motion does not seem to be covered under the rule, as I understand it.

The SPEAKER pro tempore. Section 2 provides for further consideration to be postponed.

Mr. CONYERS. Regular order, Madam Speaker.

Mr. WAXMAN. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WAXMAN. Madam Speaker, as I understand the Chair's ruling, this is no different than any other proposal on a bill where the vote could be postponed under the rule. That has been, I point out to my colleagues, done on numerous occasions.

The SPEAKER pro tempore. This postponement was enabled by section 2 of the rule, which has been stated.

Mr. PRICE of Georgia. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PRICE of Georgia. Section 2 of the rule states that the Chair may postpone further consideration of the bill to a time designated by the Speaker.

What time would that be?

The SPEAKER pro tempore. It is within the discretion of the Chair.

Mr. PRICE of Georgia. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PRICE of Georgia. Can the Chair enlighten the Members of the House as to when the Chair might rule as to what time we would be voting on this?

The SPEAKER pro tempore. A decision will be forthcoming. The gentleman should check with his leadership.

Mr. PRICE of Georgia. Further inquiry.

The SPEAKER pro tempore. The gentleman from Georgia.

Mr. PRICE of Georgia. The gentleman from California mentioned that this was no different than any other rule. Isn't it true that this section 2, under the rule, is a new and unique section that has been added to this rule?

The SPEAKER pro tempore. Authority to postpone consideration is not new, but the gentleman is correct that it has not before been used in these circumstances.

Mr. PRICE of Georgia. I thank the Speaker.

Mr. MCHENRY. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MCHENRY. Madam Speaker, under the operational rule of the House today, it says, the rule specifies that notwithstanding the previous question. The previous question has already been

ordered on this legislation. Therefore, the pertinent rule the Speaker is specifying is not operational under this rule; is that not correct?

The SPEAKER pro tempore. The gentleman is not correct.

Mr. MCHENRY. Madam Speaker, additional parliamentary inquiry. Why am I incorrect?

The SPEAKER pro tempore. The Chair will read the rule again:

"Section 2. During consideration of H.R. 1433 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker."

The Chair was authorized to postpone further consideration notwithstanding the fact that the previous question was ordered to passage.

#### PROVIDING FOR CONSIDERATION OF H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 261 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 261

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) four hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 1591 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The SPEAKER pro tempore (Mr. TIERNEY). The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

□ 1430

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

GENERAL LEAVE

Ms. SLAUGHTER. Mr. Speaker, I also ask unanimous consent that all

Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 261.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, H. Res. 261 provides for the consideration of the emergency supplemental, the U.S. Troops Readiness, Veterans' Health and Iraq Accountability Act. The rule provides 4 hours of general debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that the amendment printed in the Rules Committee report shall be considered as adopted. The rule waives all points of order against the bill as amended and provides that the bill, as amended, shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, with a deep appreciation for how critical this bill is, the Rules Committee reported out a rule that allows for 4 hours of what will be a full debate. It allows for the consideration of clear and concise legislation that everyone in the Congress is familiar with. It is a responsible rule, and I urge all of my colleagues to support it.

But we are here today to debate much more than procedure, Mr. Speaker. We meet today on the fourth day of the fifth year of the war in Iraq, a conflict that has gone on longer than the Korean War, even longer than the Second World War, that war being fought against the greatest threat to world security.

The scenarios painted by politicians here about the war in Iraq don't affect the men and women fighting it or living it. They actually know what the world for them really is. And what is that reality? This is a war being fought by soldiers who often do not have the equipment they need or the care they are owed. And it is not improving security for the Iraqi people. It is depleting our military and endangering the security of this Nation; and that is to this day based on a flawed strategy that desperately needs to be changed.

Under such circumstances, for this Congress to support an open-ended commitment to this conflict, passing yet another blank check as past Congresses have done, would be a dereliction of duty. By contrast, passing a bill that has a chance of changing a stagnant situation in Iraq is not micromanaging; it is living up to what we owe our soldiers and the Iraqi people, to give them a fighting chance for success.

The supplemental makes America's continued involvement in Iraq conditional on the situation there improving. America's soldiers will no longer be asked to fight in an open-ended war

whose goal line keeps moving. The bill would require Iraqi leaders to make the political compromises necessary to produce a working government, or risk losing the American military support. It will require the President's own security benchmarks to be met if American soldiers are to continue sacrificing their safety for that goal. And it will be the first step toward ending the war.

Ending this flawed conflict is crucial not just for Iraq, but also for the future of our own military and, hence, to our own national security.

This Congress was aghast when it learned of the conditions of Walter Reed. But every day, the men and women of our military are suffering beyond reason. Let me briefly share one story with you that I recently heard, the story of a young lieutenant awaiting his second deployment to Iraq.

His first tour saw him bravely patrolling dangerous streets north of Baghdad. He returned last December, expecting a year on base during which to rest and train a new platoon. Instead, with the escalation in place, he will be heading back months sooner. The soldiers under his command are not getting the time they need to train properly for their mission. The vehicles and equipment they use to train for war are failing and often break. They are physically weary, many still suffering from the lingering effects of leg and back injuries. Others are in counseling for post-traumatic stress disorder. Most of the soldiers who were married before the war are now divorced. Their lives outside the conflict are coming apart.

This lieutenant and his soldiers personify sacrifice. They never complain. When those in the military are given a mission, he told me, they find a way to complete it. That creed is why our Armed Forces are so strong.

But what this officer did tell me is that our Armed Forces cannot go on like this. He said that we are in danger of destroying our system of national defense. We see soldiers being sent back tour after tour, some too injured to wear the body armor. Our services are desperately trying to find a way to meet new troop requirements, sending back the wounded.

Mr. Speaker, this war is a dramatic misuse of our military. In the name of our national security, it is undermining the only true guarantor of national security that we have, our Armed Forces. And for years this Congress has let it happen, but not anymore.

Today the House will finally recognize that our military is at the breaking point, not because of any inherent weakness, but because it is being asked to complete a flawed mission. And so that mission itself must change.

Let me add as well that while our soldiers may stoically bear the burdens of short leaves and shoddy equipment, that in no way means that we in Congress should allow it to happen.

This bill respects our men and women in uniform enough to put their

needs at the forefront of national priorities. From now on, if they are asked to go into battle without being fully armored, fully rested, and fully trained, then the President himself will have to stand before them, look them in the eye, and explain why he thinks our national safety is worth that level of sacrifice.

The legislation will also provide desperately needed funds for veterans' health care. Our country is seeing more wounded soldiers returning from abroad than at any point in 40 years, and yet our health care system has failed thousands of them. It is unconscionable, and it is long past time that that state of affairs is radically changed.

And, finally, this bill both increases funding for the ongoing conflict in Afghanistan and for a variety of other critically important national security objectives. Taken together, it represents the beginning of what will be a responsible and ethical shift in our national security priorities away from a war in Iraq that we can't end and back towards where it ought to be.

Mr. Speaker, this legislation is the first real chance that Democrats have had since 2003 to change the course of the war in Iraq, and we intend to do it. We will do it not because we are conceding anything to those who would do our Nation harm, not because we lack the will to fight for security, and not because, as some would have you believe, we are giving up. With this first step, we will change the course of this war because the future of the people of America depends on it, because a basic level of respect for our soldiers demands it, and because the long-term security of our Nation requires it.

This is an important and historic bill, and I am proud to support it. I urge all of my colleagues to do the same thing.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I thank my friend from New York, the distinguished Chair on the Committee of Rules for yielding me the time, and I yield myself such time as I might consume.

Mr. Speaker, I rise in the strongest possible opposition to this rule and the underlying legislation. I could start this debate by quoting my Democratic colleagues on the Rules Committee when they decried Republican tactics over the last few years, how they railed against closed rules and chided me personally. I am a big guy, I can handle it. But they attacked me personally constantly for denying amendments that were offered by both Democrats and Republicans. I could quote every instance that they promised to do better, to have the most open and fair Congress in the history of this country, and to not have late-night meetings. But today, Mr. Speaker, I am not going to do that. I am going to recognize that that would simply distract from this very, very important issue. Instead, I



am going to simply provide the House, Mr. Speaker, and you witnessed much of this last night, with a factual account of what took place in the wee hours of this morning.

Shortly before 1 a.m., the Rules Committee on party-line votes reported out two self-executing closed rules, and denied the consideration of some 70 amendments submitted to the Rules Committee from both Republicans and Democrats as well. That is what happened. There is no denying it. You, Mr. Speaker, witnessed it yourself when you were upstairs in the Rules Committee.

So regardless of the process, this supplemental appropriations bill is a constitutionally dubious attempt at micromanaging the Iraq war into what I believe would be inevitable defeat if it succeeds. It enjoys such limited support on the other side of the aisle that it had to be laden with unrelated pork in order to win enough votes to have any hope of passing. It is a cynical ploy that will leave dire consequences for the region, and for our own security, in its wake.

The Constitution lays out a very clear system of checks and balances derived from the ideas of the Framers of our Constitution. By giving the three branches of government distinct roles, we guard ourselves against tyranny; we guard ourselves as individuals against tyranny in each branch.

The President cannot wage war without authorization or funding from Congress. But if authorization and funding are granted, the President serves as the Commander in Chief with the authority to execute the war.

Mr. Speaker, this bill ignores the intentions of those Framers, and it attempts to turn the Constitution on its head. James Madison, Father of the Constitution, the author of the Constitution in Federalist No. 51, wrote, and I quote, "In framing a government that is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed, and in the next place oblige it to control itself."

Mr. Speaker, Madison recognized the inherent challenges in designing a government that is both effective and limited. He knew that, without checks and balances, tyranny would, in fact, ensue.

This bill attempts to diminish these checks and balances. It tries to turn Congress into a collection of 535 Commanders in Chief. This legislation of micromanagement is based on a disastrous strategy. Its authors fund the war, and then mandate its failure. They seek to tie the hands of our military commanders, and then force them to retreat when they are unable to meet impossible timetables. They mandate the withdrawal with no regard for the situation on the ground, and then they sweeten the deal with \$15 billion in money that is unrelated spending that has got a little something in there for practically everyone: \$283 million

for the milk income lost contract program; \$74 million for peanut storage costs; \$1.3 billion for the Army Corps of Engineers. Billions and billions of dollars for these projects, some worthy, some not.

□ 1445

But none of them related to the troops, and what this is, this is a war funding supplemental. None of these are emergency items.

Their only connection to emergency supplemental appropriations for the war, Mr. Speaker, in Iraq, is that they are necessary to build support for this bill, a bill that trades victory for electoral gains. Make no mistake, this legislation is a political solution for Democrats, not a strategy for winning in Iraq.

And what would the consequences of defeat be? The National Intelligence Estimate, the 9/11 Commission, and our people on the ground have all made it very clear that a precipitous withdrawal would have catastrophic consequences. The carnage of the battle of Baghdad that we are witnessing today will be just the beginning. Violence will spill out across the country and spread to the entire region.

In our absence, Iran and Syria will be utterly unfettered in their ability to incite a regional war that threatens global security, with enormous casualties suffered by the people of the region.

Proponents of a policy of defeat often point to our diminished standing in the international community. But what about our standing with the Iraqi people? Terrorist attacks on our own soil have demonstrated that our security and their security are directly linked.

And, Mr. Speaker, Operation Iraqi Freedom has bound us even more closely. We have a commitment to help the Iraqi people establish lasting security through democracy. We have a commitment not to abandon them to be slaughtered by terrorists.

And if we retreat, we not only abandon the Iraqi people, we draw terrorism back to our own doorstep. Have we so soon forgotten the tragedy of attacks on our homeland?

We took the war on terror to the terrorists and have suffered not one attack since September 11 of 2001.

With this bill, we would bring the war on terror back home. Only this time we will have strengthened the terrorists ourselves with a road map for success. We will have demonstrated precisely what it takes to defeat the United States of America. We will have clearly signaled to them that they must simply bide their time until the mandated retreat, at which time they will be able to terrorize with impunity.

I, like many Americans, Mr. Speaker, have been discouraged by this war. We all feel the toll that it has taken. And we are keenly aware of the price that we are paying, especially in a human sense. Every one of my colleagues, Mr. Speaker, has, as I have, looked in the

faces of constituents whose family and friends have made the ultimate sacrifice in this war. Their pain is very real, and their loss is profound.

I regularly talk to a man called Ed Blecksmith whose son J.P. was tragically killed 2 years ago this past November in the very famous battle of Fallujah. And he has, time and time again, said to me, if we don't complete this mission, my son J.P. will have died in vain.

But we do not honor those who have sacrificed by abandoning their mission. We do not honor those in the field who are fighting, as we speak, by tying their hands and depriving them of the means to succeed. We will honor them by winning the war in Iraq so that our men and women come home having completed their mission.

We know that their mission will not be complete in the immediate future. As President Bush and General David Petraeus have both acknowledged, success will take months, not days or weeks. But there are signs of hope that the President's new plans, under General Petraeus, are working.

As Brian Williams of NBC reported from the field in Iraq, he said, "This change in policy, getting out, decentralizing, going into the neighborhoods, grabbing a toehold, telling the enemy we are here, talking to the locals, that is having an obvious and palpable effect. There are hopeful signs." That was said by the NBC news anchor, Brian Williams.

Mr. Speaker, to abandon our mission now would be disastrous. I urge my colleagues to reject the policy of defeat, reject the return of terrorism to our homeland, and reject this unconstitutional power grab whose sole purpose is to cede victory to our enemies.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, let me begin by saying that this is a difficult day for me.

I voted against this war from the very beginning when this vote was not politically popular. I was an original member of the Out of Iraq Caucus.

As far back as 2005 I introduced legislation to end funding for the war, which I believe has been one of the worst political, military, diplomatic and moral blunders in our Nation's history.

My bill calls for the immediate, safe and orderly withdrawal of all of our troops from Iraq, and I urge my colleagues to join me in that legislation.

I want this war to come to an end today. Unfortunately, and to my deep disappointment, not enough of my colleagues, Democrat or Republican, believe as I do.

I have come to the conclusion that defeating the supplemental bill before us today would send a message to George Bush and DICK CHENEY that they will continue to have a free pass

from this Congress to do whatever the hell they want to do.

The Bush administration, with their "Mission Accomplished" banners and their shifting rationales, must be held to account. We simply cannot trust them any longer. I lost my trust in this administration a long, long time ago.

I fear that defeating this bill would result in more of the same, more deceit and empty promises, more ignored benchmarks and missed deadlines, more American casualties, more debt passed on to our children and our grandchildren, more harm to our reputation around the world, and more war.

I cannot do that. I will not do that. So I will vote "yes."

This is not the bill that I want. This is not the bill that I would have written. But it is the bill that the Appropriations Committee has presented to us today, and it is a bill that reflects the hard reality that this is the toughest measure that we can get passed and get 218 votes for.

For the first time, we can mandate real and meaningful deadlines that clearly reflect the disgust so many of us have with how this war has been conducted.

This bill also provides \$1.7 billion to address the health care needs of our veterans, particularly those suffering from traumatic brain injury and post-traumatic stress disorder. Too many of our veterans can't even get diagnosed, let alone treated. That is wrong, and this bill begins to fix it.

Quite frankly, I have concluded that this bill is the best that we can do, for now. I say that very deliberately, "for now," because those of us who oppose this war will continue our efforts to end it. I want all of our troops out of Iraq and back home with their families where they belong.

I will propose much stronger language and, indeed, continue to press for the immediate withdrawal of all of our troops in the defense bills that are coming in the weeks ahead.

My old boss, Joe Moakley, stares at me from his portrait every day in the Rules Committee. He used to say that if the Democratic Party were in Europe, we would be 16 different parties.

So I want to just take a moment to commend the leadership of DAVE OBEY and JACK MURTHA and STENY HOYER, JIM CLYBURN and RAHM EMANUEL for all of their hard work these past few weeks. They have anguished over this issue, as all of us have.

And I especially want to commend our Speaker, NANCY PELOSI. She has been a forceful and effective opponent of this war from the very beginning, and I know she will continue to do all that she can to bring all of us, Republicans and Democrats, together to finally bring this terrible war to an end.

I am grateful to my colleagues in the Out of Iraq Caucus for their continued and forceful leadership. And I also want to thank all of the national and grass-roots activists and organizations

who have done so much to oppose this war. I truly believe that the American people are way ahead of the politicians in Washington on this issue, and it is my hope that some day soon Congress and the White House will catch up.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2½ minutes to a very hardworking member of the Committee on Rules, the gentleman from Pasco, Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in strong opposition to this closed rule and the underlying legislation.

Mr. Speaker, since the war on terror began, the Rules Committee has granted an open rule for every wartime supplemental spending bill brought to the floor, thus giving every Member an opportunity to offer an amendment and have their say on those supplemental bills.

In the Rules Committee last night, we heard passionate testimony from several Members on both sides of the aisle. Some Members spoke about the need to continuing funding our troops to complete our mission, while others offered hard deadlines for withdrawal, regardless of consequence.

In the end, over 50 amendments were offered to the Rules Committee to be made in order for consideration on the House floor today. Regrettably, Mr. Speaker, not one single amendment, let me repeat that, not one of the 50 amendments will be allowed to be considered by the full House. And, Mr. Speaker, I am truly disappointed with that.

The bill we have before us today contains restrictions on funding and conditions on what our troops are able to do that are simply, to me, unacceptable. We have military leaders for a reason. Making 435 Members of Congress commanders in the field is a formula for failure, which I am deeply concerned will have a long-term consequence on our security here at home.

By placing restrictions on funds, hamstringing our military and calling for an arbitrary withdrawal, this bill will jeopardize the ability of our troops to do their jobs to defend America.

A wartime spending bill, Mr. Speaker, should have, above all else, to provide the support that our men and women in uniform need to accomplish their mission. By placing conditions on funding, this bill fails to do that. Conditions on funding make it impossible for our military leaders and our troops on the ground to respond to ever-changing conditions on the battlefield.

And finally, Mr. Speaker, this bill has more than just military funding. And I am disappointed now that it is only now, in an effort to attract votes for a bad bill that we know will never be signed into law, the Democrat leadership has decided to include in this bill an extension of rural county payments.

I tried earlier this year to attach an extension to another bill. That bill be-

came law. I also tried to have a long-term extension brought up on a vote, but the Democrat leadership said no, time and time again. Allowing the extension to come to the floor only on a bill that we know will be vetoed amounts to nothing more than false promises.

So, Mr. Speaker, I urge my colleagues to oppose this rule and the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Thank you very much, Ms. SLAUGHTER, and thank you very much for your leadership.

Mr. Speaker, I have appended to this podium the faces of 90 people who never should have lost their lives in this war.

Mr. Speaker, when I voted against using troops in Iraq more than 4 years ago, I believed then, and still believe today, that this was not a war of necessity, but rather for the Bush administration a war of choice and convenience. As we have learned since that vote, the concern that I and others had was, indeed, justified.

Today's vote is not a vote on supporting our troops. After all, there is no choice when it comes to supporting our military. We all stand by them, Republicans and Democrats alike, especially when they are in harm's way.

But should we send our troops into battle without proper body armor? For over 4 years the Bush administration has said "yes." Democrats have said "no."

Should we force our troops into second and third and fourth tours of duties with shortened times in between those tours? The Bush administration continues to say "yes." Democrats say "no."

Should we welcome home our troops with inhumane conditions at our VA hospitals around this Nation, not just at Walter Reed, and a shortchanged veterans health care system? The Bush administration says "yes." Democrats say "no."

Should we stay the course of rhetorical arguments filled with fear and deception, like I have heard here today? Or should we finally start holding this administration and the Iraqi Government accountable? For over 4 years the Bush administration has said "stay the course." Democrats and the American people demand accountability and a plan to bring our men and women home.

Choices arise only when we start asking ourselves the real questions about how we can best support and protect our troops. On these issues, there are very clear choices between the Bush administration's "stay the course" stubbornness and the Democratic plan for accountability.

□ 1500

This bill is not the end-all-be-all when it comes to getting us out of Iraq. It is not the long-term solution which

so many of us crave. But it is the first step, a very necessary step, on the road to holding the administration and the Iraqi Government accountable and bringing our troops home.

Many Democrats did not vote for this war, but make no mistake about it, one way or another we will end it. Incidentally, whatever happened to exit strategy? Most importantly, we will do so in a manner that enhances our security here at home and contributes to the restoration of order and stability in the Middle East region and throughout the world.

This is an excellent rule, Madam Chairman, and the bill that has been fashioned by the Speaker and the leadership of this House is a correct start to adhere to the wishes of the American people.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to another hardworking member of the Committee on Rules, the gentleman from Miami (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank my friend from California for the time.

I rise to strongly oppose this rule and the underlying legislation that is being brought to the floor. For obviously substantive grounds, I oppose the legislation being brought to the floor.

I think that we are at a decisive time, more even than a critical time, a decisive time in the conflict in Iraq. And I think that now to be substantively, as this legislation does, tying the hands of our military personnel and, in effect, saying, well, if things don't go totally appropriately, totally correctly, if they don't go right, then you must withdraw.

And I think about other wars in the past and what would have happened if we would have had those kinds of requisites. If we had tied the hands of the military leaders in the past, there would have been disaster then. There would be disaster now if this legislation passes.

And for procedural reasons also, Mr. Speaker, I am strongly against this legislation. As strongly as I oppose some of the amendments that were brought forth to the Rules Committee, I supported the right of Members to bring forth those ideas and have them considered, but the majority in the Rules Committee rejected them.

During the time that we were in the majority, we never brought a wartime supplemental bill to this floor with a closed rule. It is unfortunate that the majority is doing so today.

For the substantive reasons that I have mentioned and many others, Mr. Speaker, as well as the significant procedural reasons that I have touched upon, that this House is being closed down with regard to the ability to present amendments today, I urge rejection of this rule as well as of the legislation being brought forth today.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gen-

tlewoman from California (Ms. MATSUI), member of the Rules Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from New York for yielding me time and her leadership on the committee.

Mr. Speaker, this Congress is on the cusp of an historic step, a first step to changing Iraq policy, enacting a fixed timetable to bring our troops home. The bill made in order under this rule is not perfect, but it deserves our strong support because it offers us our best chance at forcing a change of direction in Iraq after 4 long years of mismanagement.

Mr. Speaker, I opposed this war from the beginning, and I believe we must bring our troops home soon and in a responsible way. The President's reckless insistence on sticking to a failed policy in Iraq underlines the need for Congress to show leadership. This legislation gives us the chance for the first time to take a concrete step towards bringing the war to a close.

This bill does not go as far as I would like. I support a more rapid redeployment of our troops from Iraq. I also strongly believe the President should not be allowed to waive the legislation's troop readiness requirements. But it has become clear in recent weeks that this is the most aggressive approach that can obtain the necessary votes to pass this House. That is the reality here. This is, after all, the legislative branch. That means we can't change the policy if we can't pass the bill.

Enacting a fixed timetable to bring our troops home is a very significant leap forward in our Iraq policy. It provides a foundation for further action and increases pressure on the President. That is why the President opposes it so strongly. Defeating this bill would ultimately play into the President's hands, resulting in the eventual passage of a blank-check bill that places fewer restraints on the President.

Ultimately Congress faces a choice: Do we set a timetable to bring the troops home while providing for the troops in harm's way, or do we give the administration a blank check for a war without end?

I choose to begin steps to end the war. For that reason I urge all Members to support the rule and the underlying bill.

Mr. Speaker, I thank the gentlewoman from New York, the distinguished chairman of our committee, Ms. SLAUGHTER for the time and for her leadership.

Mr. Speaker, in the next twenty-four hours, this Congress will undertake a historic first step to changing our Iraq policy.

The bill made in order under this rule is not a perfect bill. But it deserves our strong support because it will bring a critical change of direction in Iraq after four long years of mismanagement.

Mr. Speaker, I opposed this war from the beginning. And I believe we must bring our troops home soon and in a responsible way. Our men and women in uniform have done everything we have asked of them.

They have endured multiple deployments and extended separation from their loved ones. They have followed orders into combat often without the proper body armor or equipment.

These are signs of an inexcusable lack of leadership from the President. Rather than change direction, the President has chosen to send tens of thousands of additional troops to Iraq.

This goes against the advice of his generals . . . against the advice of the bipartisan Iraq Study Group . . . and against the expressed wishes of the voters.

The President's reckless insistence on sticking to a failed policy in Iraq underlines the need for Congress to show leadership.

I support Congress taking firm steps to change our Nation's direction in Iraq. And I have cosponsored legislation to establish a timetable for redeployment of our troops.

As I said at the beginning, Congress has a historic opportunity to demonstrate its responsible leadership with this bill. And that's the prism through which I evaluate my vote this week.

The decision comes down to this—do we want to enact a bill that has flaws but does contain a fixed timetable to bring our troops home? Or do we want to vote down the fixed timetable and endorse President Bush's ability to continue to wage this war without any limits?

This bill does not go as far as I would like. I support a more rapid redeployment of our troops from Iraq. I also strongly believe the President should not be allowed to waive the legislation's troop readiness requirements.

Because of his gross mismanagement of the conflict, I believe the President has abdicated any right to deference on that front.

Having said that, it has become clear in recent weeks that this is the most aggressive approach that can obtain the necessary votes to pass the House of Representatives.

That is disappointing to me, but that is the reality here. This is, after all, the legislative branch. That means we can't change the policy if we can't pass the bill.

Enacting a fixed timetable to bring our troops home is a very significant leap forward in our Iraq policy. It provides a foundation for further action and increases pressure on the President. That is why the President opposes it so strongly.

To defeat this bill would result in the eventual passage of a blank check bill that places even fewer responsibilities on the President.

I believe it is simply unacceptable to give the President permission to mismanage the war as he chooses.

Ultimately, Congress faces a choice: Do we set a timetable to bring the troops home while providing for our troops in the field at every moment?

Or do we give the Administration a blank check for a war without end? I believe Congress must choose the former.

This legislation, whatever its flaws may be, enacts a timetable to bring our troops home while giving them the resources they need for protection while they are still in harm's way. For that reason, I am voting yes on the supplemental appropriations bill.

I urge all Members to support the rule and the underlying bill.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to

another hardworking member of the Rules Committee, the gentleman from Dallas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I want to inquire if the gentleman has notified the Blue Dog Caucus that it is time for them to rush out front of their offices and put an extra \$25 billion on the national debt. Have we given that notice yet for their offices to begin doing that?

We will find out whether they are going to vote for this 25 extra billion dollars that I think is way too much in the emergency supplemental.

Mr. Speaker, once again the Democrats are refusing to operate under the rules they campaigned on to open up the political process and use PAYGO rules to fully fund and offset any new mandatory spending.

Today is a particularly egregious example of their irresponsible leadership as they threaten to leave our troops in the lurch by micromanaging the war against the United States by terrorists, while also leaving American taxpayers holding the bag by declaring hundreds of millions of dollars in new mandatory spending as an "emergency."

SCHIP is an important program where States are given a fixed annual allotment to assist them in providing health care coverage to near-poverty children and pregnant women. However, a few States want to use their SCHIP program to provide health care services to expanded populations that go well beyond the scope of the original program, even though they signed an agreement stating that they promised to pay for any additional costs with their own State funds or to offset those within the Medicaid program.

Despite this agreement, Mr. Speaker, a number of States have told Congress that overspending their Federal allotment was their intention all along. Once again they come to Uncle Sam to get a bailout.

Mr. Speaker, this is not an emergency. This is a loophole being exploited by the Democratic leadership. So today the Democrat leadership is telling these States, You don't have to keep your promises to the Federal Government, and you don't have to worry. We don't mind exploiting a loophole in the rules and calling this an "emergency" even though we have known for years that this would happen.

Mr. Speaker, I am voting against this.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Speaker, I rise today in support of this rule and the underlying bill.

It is the responsibility of this Congress, ladies and gentlemen, to demand accountability from this President and insist on concrete results from the Iraqi Government. Ladies and gentlemen, our troops are laying their lives on the line every single day. The least we can do is demand and require Iraqi accountability. This bill embraces that

responsibility and sets the stage for handing over control of security of Iraq to the Iraqis.

It is also the responsibility of this Congress to provide our troops with the resources they need to do their jobs. And let there be no confusion. This bill provides full funding for our men and women in uniform, who continue to serve the country with great courage and dedication.

This bill also provides \$1.7 billion in new funding for veterans' health care, something that is direly needed. The state of veterans' health care in America is in crisis, and our troops deserve better.

In addition, this bill will help us refocus our efforts on those who attacked us on September 11 by increasing funding for the war against al Qaeda and the Taliban in Afghanistan.

It is deeply troubling to me that this war in Iraq has undermined our efforts to address the urgent threats in the war on terror. After failing to kill Osama bin Laden when we had the chance at Tora Bora, the administration turned its attention to Iraq, allowing the Taliban to regain lost ground in Afghanistan.

Finally, Mr. Speaker, our goals in Iraq must reflect reality. For far too long Congress served as nothing more than a rubber stamp for this President's disastrous policy in Iraq. Those days, Mr. Speaker, are over. Iraq has descended into a bloody civil war that cannot be resolved by the American military. Even our military commander in Iraq, General Petraeus, has said there is no military solution to this conflict.

The Sunni-Shia divide goes back 1,400 years. America alone cannot reverse 14 centuries of division and hate.

I support the rule, and I support the underlying bill.

Mr. DREIER. Mr. Speaker, at this time I am very pleased to yield 2 minutes to my good friend, member of the Appropriations Committee, the gentleman from Goddard, Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, this supplemental funding is one of the most important bills that Congress will be considering this year, and I am very disappointed that the Democrat leadership has mandated that this bill come to the floor under a closed rule.

I have heard the Democrats say that this is not a perfect rule. It is perfectly wrong; that is what it is.

What does a closed rule mean? It means voices will not be heard. It means ideas will be silenced. A closed rule means that no amendments will be allowed to the bill, that no alternative plan to fully fund the troops will be allowed.

I only have 2 minutes to discuss this, not enough time to explain to the American people how this puts our troops at risk or question why the Speaker believes she has the right to micromanage the war in Iraq.

We spent a whole week debating the nonbinding resolution on Iraq, and now we have only 4 hours of how to best fund and support our troops. It is not enough time to explain title IX, where the language of the bill prevents our troops from receiving reinforcements or replacements. It is not enough time to prove beyond a shadow of a doubt that the supplemental will fulfill the goals of al Qaeda's leader al-Zawahiri. It is not enough time to show the American people how this supplemental replaces the Iraqi National Congress by imposing on their government demands, demands to change their Constitution, demands to change their laws.

This is an unfair rule that represents broken promises for a more open Congress made by the Speaker. This is a rule that should be defeated.

I am going to vote "no" on this, and I encourage my colleagues to also vote "no" on this rule. It is an unfair bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, the President's Iraq policy has been a complete catastrophe. It must be challenged. It must be changed. We must end this war.

The question we face is clear: Will Congress rubber-stamp a fifth year of a failed policy, or will Congress finally, after 4 straight years of lock-step compliance with an incompetent administration, compel a new direction that ends the war?

The President has arrogantly asserted that he will veto any measure with a timetable. Mr. Speaker, I will not support any bill without a timetable. If I had a chance to write this bill, like my colleague from Massachusetts (Mr. MCGOVERN), I would bring our troops home yesterday. But I did not write this bill, so I must measure it based on three criteria: Does it impose accountability on the President and Iraqis? Does it revoke the President's blank check? Does it establish a date certain with the force of law that will end this war?

□ 1515

This bill meets each of these objectives. Regrettably if this bill fails, the war will continue, unchecked and unabated.

It is time for the Iraqis to accept responsibility for shaping their own future. Even President Bush has acknowledged the importance of imposing measurable benchmarks of success on the Iraqi Government. This legislation replaces Presidential lip service with congressional force of law.

There is a reason the President threatens to veto this bill: It is because Congress is finally revoking his blank check.

Mr. Speaker, there is no easy way to clean up the mess in Iraq or to avert further suffering. Our obligation remains to decide, at this time and place, whether to stay the President's course or to end this war as soon as possible.

I will support this bill because it finally puts us on the path to end the unconscionable war.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TIERNEY). All Members are reminded not to make improper references regarding the President's character.

PARLIAMENTARY INQUIRY

Mr. LAHOOD. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAHOOD. Mr. Speaker, I want to say I thank you for admonishing the prior speaker. The words that he used could have been taken down. We don't need people out here on the floor calling the President names.

I appreciate what the Speaker said to him, and I hope other Members will listen.

The SPEAKER pro tempore. The gentleman has not posed a parliamentary inquiry.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to the gentleman from Marietta, Georgia (Mr. GINGREY), a former member of the Committee on Rules, who works hard on the Armed Services Committee now.

Mr. GINGREY. Mr. Speaker, I rise today not only in strong opposition to this "our way or the highway" rule, but also to the underlying bill, which I believe encroaches on the constitutional principle of separation of power, particularly the President's authority as Commander in Chief.

Regretfully, this rule prevents every single Member of this body, both Democrats and Republicans, from offering an amendment to an emergency wartime supplemental appropriations act, a highly unprecedented attack on the democratic process.

Mr. Speaker, I recognize the majority is insistent on a force pullout from Iraq, but the language in this supplemental puts this war and the soldiers' lives on autopilot. This legislation makes a flash-point decision about the war, about our men and women on the ground, with little regard to the actual facts 6 months, a year, and indeed 17 months from now. It looks like "Magic 8-Ball" foreign policy.

Last night, Mr. Speaker, I offered an amendment to the Rules Committee. Unfortunately, it was not made in order, but it would have required this Congress to reevaluate the situation in Iraq at each of these timelines in the so-called Murtha language. So whatever the benchmarks, then we would have to come back and vote again, clean up or down vote, whether or not we want to bring the troops home.

Mr. Speaker, that is especially important at the drop-dead date of August of 2008, when this bill basically says no matter what, the troops come home, even if we have got the bad guys on the run. I think every Member of this body would want to support an amendment like this, so that we would once again be able to vote and reconsider, considering the situation on the ground.

So this legislation sets a dangerous precedent, and I respectfully ask my colleagues, oppose the rule, oppose the underlying bill. Let's work, both Republican and Democrat alike, let's produce a supplemental that will actually pass this House, pass the Senate and be signed by the President. Do right by our American soldiers, and our people and the people in Iraq.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR. Mr. Speaker, I thank the distinguished Rules Committee Chair.

Mr. Speaker, the Iraq Accountability Act under this rule is the most responsible way to chart a new direction to the Bush-Cheney stay-the-course policy in Iraq, to bring our troops home and to protect our national security.

The American people are way beyond the politicians at both ends of Pennsylvania Avenue. Nevertheless, our government is at a crossroads. On the one hand, some want to continue to endorse the Bush-Cheney war without end, a war that the administration sought because they were blinded by the prospects of oil profits. They want to continue a blank-check, rubber-stamp, diplomatically impotent position.

On the other hand, I urge my colleagues to patriotically stand up for a greater Nation, be strategically smarter and support our brave men and women in uniform. That is the responsible course of action.

Ensuring that our troops in the field have all of the resources they require is the responsible thing to do. Focusing again in a meaningful way on al Qaeda and the Taliban is the responsible thing to do. Improving health care for injured soldiers and veterans is the responsible thing to do. And oversight of the misspending and waste by the executive branch is the responsible thing to do.

Requiring the Iraqi Government to provide for its own defense is the right and responsible thing to do, so that we can take our brave men and women in uniform out of the middle of the Iraqi civil war and bring our troops home.

As a member of the House Armed Services Committee, I am particularly concerned that the reckless Bush escalation will continue to undermine our country's readiness and ability to address other threats to our national security. Indeed, in recent testimony before our committee, the Army Chief of Staff testified that America will run a strategic risk by implementing the escalation and staying on the same course in Iraq.

The American people are demanding a new direction from the White House. This includes one of my neighbors in Tampa, Armando B. Arias.

Mr. Arias would meet anyone's definition of "patriot." He loves his country and has served in two separate wars—World War II and Korea. When I asked him a few months back when I knocked on his door in West Tampa

what he most wanted his new Congresswoman to work on, he replied immediately, "get out of the war and ring our kids home."

I am proud to be here today to keep that commitment to Armando Arias and Americans everywhere who are demanding fundamental change.

I urge a "yes" vote on this rule and the Iraq Accountability Act.

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to the ranking Republican on the Committee on the Budget, the gentleman from Janesville, Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, this bill takes the cake. Let me tell you why this bill takes the cake. For all the talk about fiscal discipline we have received from the new majority, this bill represents an egregious violation of the budget rules that the Democrat majority set for itself just recently.

Last year in the 109th Congress, we decided to put in place a new tool of fiscal discipline, one that said if it is really an emergency, then it should be an emergency, but don't put pork and unrelated programs into emergency spending bills. So we set up a procedure, a procedure that set aside \$6.45 billion to be reserved for domestic emergencies. If we had more money needed above that, the Budget Committee would meet, the Budget Committee would determine whether or not a particular program met the definition of a legitimate emergency, and then it would raise the corresponding amount, which then the Appropriations Committee could use.

Last night we met in the Budget Committee. We could have easily added a discussion or a vote on whether or not this extra \$22 billion fit the definition of a legitimate emergency and raised the amount, but what did this new majority do, after putting in place these rules that we had from the 109th Congress to this 110th Congress? They waived them. They are gone. All of this talk about fiscal discipline, all this talk of PAYGO, of paying for things, what happened? Gone. Waived.

We added an amendment last night in the Budget Committee during the resolution markup to continue these rules next year so that we can't pork up emergency spending bills. Both parties have been guilty of this. Please note that I say that. What happened? They voted it down. So not only are we not living by the rules put in place just in January, we canceled the rules for next year.

So what happens? This bill puts \$22 billion in unrelated, unrequested spending, having nothing to do with the war, in here. And the idea that we police emergencies, that we make sure that when you do an emergency spending bill with no offsets, that it really is an emergency, and that we police it and we look at it in the Budget Committee, gone.

The days of fiscal discipline have left. Last night in this budget, the

Democrat majority passed the largest tax increase in American history. The reason they passed the largest tax increase in American history is because that is the only way they can balance the budget to also accommodate all the new spending they called for, because this budget had zero savings, no controls on spending, nothing but tax increases. And now they are waiving the rules so that they can bring any emergency spending bill they want without checking as to whether or not it truly is a legitimate emergency.

Mr. Speaker, for this, and many, many, many other reasons, fiscal discipline, using the rules and obeying the rules and not handcuffing our generals, I ask for a "no" vote on this rule and a "no" vote on the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Mr. Speaker, I thank the distinguished chairwoman of the Rules Committee and fellow New Yorker for yielding.

Mr. Speaker, for months I have said that our country needs a plan to ensure the timely redeployment of our troops out of Iraq. The previous Congress failed in their duty to provide oversight and refused to ask the tough questions regarding the management of this poorly planned and ill-conceived war. To say, as some of my Republican colleagues have, that passage of this legislation would somehow embolden our enemies or send the wrong message to our allies is just a blatant distortion of the truth.

The U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act lays out for the first time a responsible and realistic strategy for completing our mission in Iraq and bringing our brave troops home as soon as possible. This is a responsible and deliberate plan to change the direction in Iraq without jeopardizing the safety and well-being of our soldiers. The legislation sets a responsible timeline for the phased redeployment of U.S. troops in Iraq with a date certain by August 2008 at the latest.

The war in Iraq increasingly strains our military, creating a crisis in the U.S. troop readiness and decreasing our ability to respond to new threats. With more than 3,200 troops dead, more than 24,000 troops wounded, and more than \$400 billion of taxpayer dollars spent, we have paid too high a price.

We have a choice: We can continue the administration's open-ended commitment to a civil war in Iraq, or we can finish the job and begin a responsible redeployment of U.S. forces.

The U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act goes beyond a new direction for Iraq. It begins a new direction for our country, one in which veterans are taken care of, families provided for, and brave men and women in harm's way have the resources they need to get the job done.

The legislation provides \$1 billion to fight the global war on terror by put-

ting the focus back where it should have been all along, Afghanistan and Osama bin Laden. The legislation would also provide \$2.5 billion in additional funding to ensure our troops are properly equipped.

I would recommend a "yes" vote.

The legislation would also provide \$2.5 billion in additional funding to ensure that our troops are properly equipped and trained; \$2.8 billion for Defense Health Care; and \$1.7 Billion for veterans' health care—including millions to address the maintenance backlog at VA health care facilities like Walter Reed—ensuring our veterans and troops get the care they need and deserve.

I am proud to associate myself with this legislation because it will change our direction in Iraq, and provides the new direction for our country that the American people demanded last November.

My constituents did not send me to Washington to serve as a rubber stamp for the Administration. I was sent to Washington to stand up against the mismanagement of this war and misplaced priorities of the Administration.

True victory will be achieved when we bring all of our brave troops home—alive and uninjured. I would ask that if my children were serving in Iraq, and we as a nation should ask nothing less for our brave troops.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to the gentleman from Bridgeport, Connecticut (Mr. SHAYS), the former chairman of the National Security Subcommittee, who has made 15 trips to Iraq.

Mr. SHAYS. Mr. Speaker, I thank the distinguished gentleman for yielding me time.

Mr. Speaker, this closed rule allows only an up-or-down vote on the Democrats' proposal regarding needed military spending, but it contains an unrealistic timeline for the withdrawal of troops, and it includes bloated spending for nonmilitary expenditures.

We all want to do the right thing for our troops in Iraq and the Iraqi people. This bill does not give us the opportunity to do either.

I offered three amendments to the Rules Committee, and none were made in order because it made no amendment in order. One was to increase funding for our community action programs in Iraq, like Mercy Corps, who hire Iraqis in their organizations, and then the Iraqis are hired to do the work.

A second amendment would have required the President to come in with a timeline and to then require the Iraqis to meet it, and needing a 60 percent vote of support of this timeline or we leave even sooner.

The third was to encourage this Congress to debate the Iraqi Study Group recommendations, which both Democrats and Republicans agree with.

We could have done something on a bipartisan basis. We expect Iraqis to work out their differences and are critical when the Sunnis and Shias are unable to find common ground. Yet we in this Congress, Republicans and Demo-

crats, are unable to work out our differences, and we don't even have to fear a bomb being blown off or an assassination attempt.

We went into Iraq on a bipartisan basis. Two-thirds of the House and three-quarters of the Senate voted to go in. It is absolutely imperative we get out of Iraq on a bipartisan basis.

I encourage my colleagues on the other side of the aisle to allow us to have a bipartisan approach.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to the distinguished gentleman from Lafayette, Louisiana (Mr. BOUSTANY).

□ 1530

Mr. BOUSTANY. Mr. Speaker, I thank the gentleman. I rise in opposition to the rule and to this underlying bill, and I will tell you that it gives me no satisfaction to vote against a bill that has so many things that are important to my State in terms of gulf coast recovery and the relief effort after the hurricanes.

But I cannot in good conscience vote for a bill that is going to do unspeakable harm to our troops in the field and to our national security. I want to point out the fiscal fantasy also in this bill. I want to point out one item. There is \$15 million in this bill for rice farmers in my district for salt water mitigation. That is twice the number of dollars that we needed months ago for this. So if we have that kind of bloating in the bill on one small item, I can't imagine what this \$28 billion extra in the bill is all about.

This bill is fiscal fantasy, and it does unspeakable harm to our national security. For those reasons, I oppose it vehemently.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the Chair and my good friend for yielding.

This bill will end the war in Iraq. This is the first enforceable challenge to the President's plan to escalate and continue a stay-the-course, open-ended commitment to a war, a war that was launched with massive deception, and an unnecessary war.

One gentleman questioned Congress' power. Congress' power under Article I, section 8 is very broad. We have the ability to modify the original authorization for war, and that is essentially what we are doing here by saying there will be an end to this war.

A year ago, just 1 year ago this March, the President said it will be up to "future Presidents," plural, not just the next one, plural, "and future governments of Iraq" to determine when our troops might come home. That is not acceptable.

Our troops are mired in the midst of a civil war. Oh, they have dragged out the old, If we don't fight them there, we'll fight them here. Well, unfortunately, the Republicans are contradicted by the Bush-appointed National



Intelligence Director who says al Qaeda is not looking to have a base in Iraq and al Qaeda would be extraordinarily unlikely to attempt, and has no capability to attack the United States from Iraq; but they are looking to move back into Afghanistan, Afghanistan where we should have stayed focused, a legitimate war against the Taliban, al Qaeda, and Osama bin Laden. Remember him? Dead or alive; dead or alive. He is still planning attacks against the United States of America, and Bush wants to mire us down day after day in a civil war.

The Iraqis have to want to end this war. This bill will give them a motivation to begin to lay aside their ages' old grudges and begin to meaningfully cooperate and coordinate and share their oil wealth. That is the only way this is going to end. It is a civil war. They have been fighting it for 1,400 years. We need this bill. We need to motivate the Iraqis to bring an end to this war, and we need to refocus on the real threats to America.

Mr. DREIER. Mr. Speaker, I am very happy to yield 2 minutes to the former attorney general of California, my friend from Folsom, a hardworking member of the Judiciary Committee, Mr. LUNGREN.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, once again on this floor we have heard an argument stated much like was stated in the argument on the bill immediately preceding. Here we are dealing with a rule on a spending bill, and we are told by a number of speakers on the other side of the aisle that they would prefer that we do the constitutional thing, that is, that we exercise the power of the purse in the way we are allowed to; that is, to cut off funding for our troops to immediately get them home.

But we have heard the reason why they don't bring that to the floor: they don't have the votes. And they use that as a reason why they bring, therefore, unconstitutional restrictions on the power of the President as Commander in Chief. Much like we heard on the bill before this, because it is the right thing to do with respect to the District of Columbia, we should ignore the words of the Constitution.

The problem is, once again, we are being told by those on the other side of the aisle that the Constitution, the Constitution, is an inconvenient truth.

The fact of the matter is the Founding Fathers tried to create a delicate balance between the war powers in the House and the war powers in the executive branch. And they said the President is Commander in Chief and once we go to war, he makes those decisions. We have the power of the purse. We have the power of the purse. If you truly believe that we are in the wrong position in Iraq, have the courage to present to this floor that question which we are given the power to consider under the Constitution. But don't come to the floor and use as your excuse for bringing something which is

unconstitutional that you don't have the votes to do the right thing.

This goes beyond this question of the war, as important as it is. It is whether or not we as Members of the Congress who swear an oath to uphold the Constitution can on a daily basis ignore that Constitution.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Mr. Speaker, this conversation is 4 years too late. If we had this conversation 4 years ago, we would have known that we had the wrong intelligence, the wrong country and the wrong war. This administration is now borrowing \$10 billion a month with the help of my colleagues on the other side of the aisle. If they are truly concerned about fiscal responsibility, \$10 billion should catch their attention. We borrow the money.

Let's talk about our troops and supporting our troops. If we were to support our troops, first of all we would take them out of a civil war. Secondly, we would care for them while they are here. Third, while they were there, we would make sure that they have the equipment they need. We know this administration has failed on all levels.

Our President says we need to listen to the generals. All of the generals are saying that we have weakened our military.

Let's support our country and let's support our defense. Make our military strong again so we can practice self-defense.

This administration and its allies have hurt us abroad, hurt our reputation, and will spend us into financial disaster if we allow them to. Fortunately, Congress has the power of the purse, and we will exercise it. I urge a "yes" vote.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Indianapolis, Mr. BURTON.

Mr. BURTON of Indiana. Mr. Speaker, people who are watching this debate across the country are getting confused with all of the rhetoric that is going on. It boils down to two things: the Democrats, who promised fiscal responsibility, in this bill are spending \$31.5 billion more than the President requested. They are busting the budget already when they promised America fiscal responsibility. So America, remember that. Remember that. They said they are going to balance the budget and they are not going to raise your taxes. They are already trying to raise your taxes. So raising your taxes and spending \$31.5 billion more than they said they would on this bill.

Finally, the second issue is capitulation. If we do what they want, if we redeploy, as they call it, it is a withdrawal, and the vacuum that is going to be filled in Iraq will be filled by the radicals, the radical terrorists, al Qaeda and their fellow travelers. It is capitulation and budget busting. That is what they are all about today.

Mr. DREIER. Mr. Speaker, I am happy at this time to yield 1 minute to my friend from Cherryville, North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank my colleague for yielding.

This is an Iraq war and an Afghanistan war supplemental bill to fund the troops in harm's way.

Now let me get this straight. The majority has put together a bill that will help defeat Islamic extremists in Iraq and Afghanistan by funding \$283 million worth of pork barrel spending for a milk program, a domestic milk program in the United States.

They believe the key to victory in Iraq is setting aside \$74 million for peanut storehouses in Iraq. No, I'm sorry, not Iraq, Georgia.

They believe they can defeat Islamic extremists by \$25 million worth of spinach subsidies for United States farmers.

Beyond that, they think that we can fund the war by spending \$25 million for United States livestock. Now, Mr. Speaker, the American people know what this is about. This \$25 million of livestock is literally pork for pork. It is the most ironic thing in this bill.

I would say that the failure of the majority is they don't understand "emergency" and "war spending."

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in strong support of the rule for H.R. 1591. In fact, Madam Chair, you have set the rule, and we need rules of the road. That is why we need to pass H.R. 1591.

This is not the average spending bill taken up by the Congress. This legislation represents a very personal decision that needs to be made by each and every Member of this body about the future of our Nation. The fact is, and I address, if I may through the Chair, my respected brothers and sisters in the opposition.

The fact is that this bill was not necessitated by the acts of Congress. No, no. This supplemental is necessary because our Nation faces an emergency due to the multitude of failures from this administration. Why are you carrying their water?

Funding will be provided to make certain that the disgrace of Walter Reed will not be repeated. This supplemental makes certain that our troops are not redeployed in and out of Iraq without proper rest, without proper preparation. We all support that, don't we? And our support in Iraq will be brought to an end responsibly.

We recently observed the 4-year anniversary of the war in Iraq. And yet during those 4 years, Congress stood on the sidelines providing endless funding without questioning. No more; no more.

Today, Congress finally fulfills its constitutionally mandated responsibility, provides real oversight for the

funding of this war, and holds this administration accountable for its actions. That is what this rule, that is what this legislation is all about.

We have the opportunity here, all of us, to undo some of the severe damage caused by the unnecessary war. I ask Members to vote for the rule and for the bill.

Mr. DREIER. Mr. Speaker, I would like to inquire of the gentlewoman if there are any further speakers on her side.

Ms. SLAUGHTER. I have no further speakers, and I will close.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman has 1 minute.

Mr. DREIER. Mr. Speaker, in 1859 that great philosopher and religious leader John Stuart Mill wrote: "War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse."

We have yet to hear from the other side of the aisle about how we are going to win the global war on terror. We haven't heard, as my friend, Mr. LUNGREN, just said to me, the "V" word. How are we going to be victorious in this war?

I urge my colleagues to vote "no" on this rule. This is the largest supplemental spending bill in the history of this planet; and it is being brought up under a closed rule.

Our colleagues in the other body will have an opportunity to amend and discuss and debate this. Only a few Members of the Democratic leadership fashioned this measure, Mr. Speaker. It is unfair. It sends the wrong message to our troops. We must be victorious in this war.

With that, I urge a "no" vote on the rule and if they pass this rule, a "no" vote on the underlying legislation.

The SPEAKER pro tempore. The gentlewoman from New York has 30 seconds remaining.

Ms. SLAUGHTER. Mr. Speaker, I urge a "yes" vote on the resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support the rule governing the debate of H.R. 1591, "U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act." There is no more important issue facing the Congress, the President, and the American people than the war in Iraq. It is a subject upon which no one is indifferent, least of all members of Congress. Beginning with the distinguished gentleman from Pennsylvania, Mr. MURTHA, many good ideas have been advanced by members of Congress to bring to a successful conclusion the American military engagement in Iraq.

It is in that spirit that I commend the leadership and the Chairwoman of the Rules Committee, Ms. SLAUGHTER, for their patient and careful crafting of the Iraq Emergency Supplemental that will come before us later today. I support this rule and I support the supplemental because I support our magnificent servicemen and women in Iraq.

Mr. Speaker, nearly every decision reached by a legislative body is a product of com-

promise. The rule and bill before us are no different. If it was left solely to us, any of us could no doubt add or subtract provisions which we think would improve the bill. For example, I offered four amendments to H.R. 1591. Let me describe them.

#### AMENDMENT NO. 1

Jackson Lee Amendment No. 1 terminates the authority granted by Congress to the President in the 2002 Authorization for the Use of Military Force in Iraq. The resolution is terminated because the objectives for which the authorization was granted have all been achieved. Let me explain.

Congress authorized the President to use military force against Iraq to achieve the following objectives:

1. to disarm Iraq of any weapons of mass destruction that could threaten the security of the United States and international peace in the Persian Gulf region;

2. to change the Iraqi regime so that Saddam Hussein and his Baathist party no longer posed a threat to the people of Iraq or its neighbors;

3. to bring to justice any members of al Qaeda known or found to be in Iraq bearing responsibility for the attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001;

4. to ensure that the regime of Saddam Hussein would not provide weapons of mass destruction to international terrorists, including al Qaeda; and

5. to enforce all relevant United Nations Security Council resolutions regarding Iraq.

Thanks to the skill and valor of the Armed Forces of the United States we now know for certain that Iraq does not possess weapons of mass destruction. Thanks to the tenacity and heroism of American troops, Saddam Hussein was deposed, captured, and dealt with by the Iraqi people in such a way that neither he nor his Baathist Party will ever again pose a threat to the people of Iraq or its neighbors in the region. Nor will the regime ever acquire and provide weapons of mass destruction to international terrorists.

Third, the American military has caught or killed virtually every member of al Qaeda in Iraq remotely responsible for the 9-11 attack on our country. Last, all relevant U.N. resolutions relating to Iraq have been enforced.

In other words, every objective for which the use of force in Iraq was authorized by the 2002 resolution has been achieved, most with spectacular success thanks to the professionalism and superior skill of our service men and women. The point of my amendment was to recognize, acknowledge, and honor this fact.

#### AMENDMENT NO. 2

The Armed Forces of the United States have performed magnificently. They won the war they were sent to fight. Their civilian leadership has not succeeded in winning the peace. Rather than undertaking a misguided and futile surge in troops, the United States should surge diplomatically and politically.

That is why Jackson Lee Amendment No. 2 called for the creation and appointment of a high-level Special Envoy for National and Political Reconciliation in Iraq (SENPRI) to launch a new offensive on the diplomatic front. This Special Envoy—who would be an individual of the stature of former Secretary of State Colin Powell, Madeleine Albright, or James Baker—would be commissioned to un-

dertake the peaceful reconciliation of the major stakeholders in a free and democratic Iraq, particularly the Sunnis, Shiites, and Kurds.

The SENPRI shall meet with any and all such persons, organizations, and entities, and make such recommendations as he deems necessary and expedient for bringing about national and political reconciliation in Iraq, including recommending the assistance of a bona fide international peacekeeping force where necessary.

A real diplomatic surge requires a full-court press designed to engage all six of Iraq's neighbors—Iran, Turkey, Syria, Jordan, Saudi Arabia, and Kuwait—more constructively in stabilizing Iraq. These countries are already involved in a bilateral, self-interested but disorganized way.

As the Iraq Study Group report makes clear, none of these countries wants to live with an Iraq that, after our redeployment, becomes a failed state or a humanitarian catastrophe that could become a haven for terrorists or a hemorrhage of millions more refugees streaming into their countries. To avoid this catastrophe, there needs to be national reconciliation between the contending factions in Iraq. A Special Envoy dedicated to achieving this goal would help a great deal in bringing about this reconciliation.

#### AMENDMENT NO. 3

Mr. Speaker, as I have stated, the Armed Forces of the United States have performed magnificently in Operation Iraqi Freedom. This fact is deserving of effusive praise and explicit acknowledgment in H.R. 1591. My third amendment did this.

The brave servicemen and women of the United States toppled the repressive Baathist regime, deposed one of history's greatest tyrants and gave the Iraqi people the chance to draft their own constitution, hold their own free elections, establish their own government, and build a future of peace and prosperity for themselves and their posterity.

But the cost of America's magnificent gift to the people of Iraq has been high. It has been paid for with the lives of more than 3,000 service members and the limbs of countless thousands of other. It has been paid for with the hard-earned tax dollars of the families of America.

The cost to the United States has also been high regarding the new and neglected needs of the American people. Operation Iraqi Freedom has exacerbated the backlog in Veterans Administration health care facility maintenance; placed an undue strain on the delivery of medical treatment and rehabilitative services for current and new veterans; and exacted a heavy toll on the equipment, training and readiness requirements, and the families of the men and women of the United States Armed Forces. My amendment acknowledged the sacrifices made by, and the debt of gratitude, we and the Iraqi people owe to Armed Forces of the United States.

#### AMENDMENT NO. 4

Last, Jackson Lee Amendment No. 4, changed the troop reference date for redeployment set forth in section 1904 from March 1, 2008, to December 31, 2007. What this means, Mr. Speaker, is that the Government of Iraq will have had more than three years since the United States turned over sovereignty to establish a sustainable government with secure borders that can protect its people. If the allied forces could win World War II

in less than four years, certainly that is enough time for the Government of Iraq to provide for the security of its people, with the substantial assistance of the United States.

But Mr. Speaker, we ought not let the perfect become the enemy of the good. The emergency supplemental may not be perfect but it is better—far better—than any legislation relating to the war in Iraq that has ever been brought to the floor for a vote.

For the first time, Mr. Speaker, the Congress can go on record against an open-ended war whose goal line is always moving. The vote today will put the House on record as squarely against the Bush Administration's policy of looking the other way while the Iraqi government fails to govern a country worthy of a free people and with as much commitment and dedication to the security and happiness of its citizens and has been shown by the heroic American servicemen and women who risked their lives and, in the case of over 3,000 fallen heroes, lost their lives to win for the Iraqi people the chance to draft their own constitution, hold their own free elections, establish their own government, and build a future of peace and prosperity for themselves and their posterity.

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The emergency supplemental acknowledges the sacrifices made by, and the debt of gratitude, we and the Iraqi people owe to Armed Forces of the United States. More than that, it makes a substantial down payment on that debt by providing substantial increases in funding for our troops. For example, the supplemental provides \$2.8 billion for defense health care, which is \$1.7 billion above the President's request. Additionally, another \$1.7 billion is provided to address the maintenance backlog at VA health care facilities. We provide \$2.5 billion to ensure that our troops are properly equipped and trained.

Because after all, when American troops are sent into harm's way, America has an obligation to do all it can to minimize the risk of harm to the troops. That is why I am pleased the bill directs the President to adhere to current military guidelines for unit readiness, time between deployments, and meeting benchmarks and ending our involvement in Iraq's civil war.

Although the bill may not be the best I might have hoped for, I have concluded that it is the best that can be achieved at this time, this moment in history. I support the rule and the bill because I believe it represents a change of course and a new direction in our policy on

Iraq. This bill will place us on the road that will reunite our troops with their families and bring them home with honor and success. I urge all members to support the rule and the bill.

Mr. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Resolution 261 will be followed by 5-minute votes on suspending the rules and passing H.R. 545, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 201, not voting 7, as follows:

[Roll No. 182]

YEAS—225

Abercrombie	DeFazio	Jones (OH)
Ackerman	DeGette	Kagen
Allen	Delahunt	Kaptur
Altmire	DeLauro	Kennedy
Andrews	Dicks	Kildee
Arcuri	Dingell	Kilpatrick
Baca	Doggett	Kind
Baird	Donnelly	Klein (FL)
Baldwin	Doyle	Lampson
Barrow	Edwards	Langevin
Bean	Ellison	Lantos
Becerra	Ellsworth	Larsen (WA)
Berkley	Emanuel	Larson (CT)
Berman	Engel	Lee
Berry	Eshoo	Levin
Bishop (GA)	Etheridge	Lewis (GA)
Bishop (NY)	Farr	Lipinski
Blumenauer	Fattah	Loeb
Boren	Filner	Loeb
Boswell	Frank (MA)	Lowey
Boucher	Giffords	Lynch
Boyd (FL)	Gillibrand	Mahoney (FL)
Boyd (KS)	Gonzalez	Maloney (NY)
Brady (PA)	Gordon	Markey
Braley (IA)	Green, Al	Matheson
Brown, Corrine	Green, Gene	Matsui
Butterfield	Grijalva	McCarthy (NY)
Capps	Gutierrez	McCollum (MN)
Capuano	Hall (NY)	McDermott
Cardoza	Hare	McGovern
Carnahan	Harman	McIntyre
Carney	Hastings (FL)	McNerney
Carson	Herseth	McNulty
Castor	Higgins	Meehan
Chandler	Hill	Meek (FL)
Clarke	Hinche	Meeks (NY)
Clay	Hinojosa	Melancon
Cleaver	Hirono	Michaud
Clyburn	Hodes	Millender
Cohen	Holden	McDonald
Conyers	Holt	Miller (NC)
Cooper	Honda	Miller, George
Costa	Hooey	Mitchell
Costello	Hoyer	Mollohan
Courtney	Inslee	Moore (KS)
Cramer	Israel	Moran (VA)
Crowley	Jackson (IL)	Murphy (CT)
Cuellar	Jackson-Lee	Murphy, Patrick
Cummings	(TX)	Murtha
Davis (AL)	Jefferson	Nadler
Davis (CA)	Johnson (GA)	Napolitano
Davis (IL)	Jones (NC)	Neal (MA)

Oberstar	Sanchez, Loretta	Thompson (CA)
Obey	Sarbanes	Thompson (MS)
Oliver	Schakowsky	Tierney
Ortiz	Schiff	Towns
Pallone	Schwartz	Udall (CO)
Pascarella	Scott (GA)	Udall (NM)
Pastor	Scott (VA)	Van Hollen
Payne	Serrano	Velázquez
Perlmuter	Sestak	Visclosky
Peterson (MN)	Shea-Porter	Walz (MN)
Pomeroy	Sherman	Wasserman
Price (NC)	Shuler	Schultz
Rahall	Sires	Watson
Rangel	Skelton	Watt
Reyes	Slaughter	Waxman
Rodriguez	Smith (WA)	Weiner
Ross	Snyder	Welch (VT)
Rothman	Solis	Wexler
Roybal-Allard	Space	Wilson (OH)
Ruppersberger	Spratt	Woolsey
Rush	Stark	Wu
Ryan (OH)	Stupak	Wynn
Salazar	Sutton	Yarmuth
Sanchez, Linda T.	Tanner	
	Tauscher	

NAYS—201

Aderholt	Garrett (NJ)	Myrick
Akin	Gerlach	Neugebauer
Alexander	Gilchrest	Nunes
Bachmann	Gillmor	Paul
Bachus	Gingrey	Pearce
Baker	Gohmert	Pence
Barrett (SC)	Goode	Peterson (PA)
Bartlett (MD)	Goodlatte	Petri
Barton (TX)	Granger	Pickering
Biggert	Graves	Pitts
Blibray	Hall (TX)	Platts
Bilirakis	Hastert	Poe
Bishop (UT)	Hastings (WA)	Porter
Blackburn	Hayes	Price (GA)
Blunt	Heller	Pryce (OH)
Boehner	Hensarling	Putnam
Bonner	Herger	Ramstad
Bono	Hobson	Regula
Boozman	Hoekstra	Rehberg
Boustany	Hulshof	Reichert
Brady (TX)	Hunter	Renzi
Brown (SC)	Inglis (SC)	Reynolds
Brown-Waite,	Issa	Rogers (AL)
Ginny	Jindal	Rogers (KY)
Buchanan	Johnson (IL)	Rogers (MI)
Burgess	Johnson, Sam	Rohrabacher
Burton (IN)	Jordan	Ros-Lehtinen
Buyer	Keller	Roskam
Calvert	King (IA)	Royce
Camp (MI)	King (NY)	Ryan (WI)
Campbell (CA)	Kingston	Sali
Cannon	Kirk	Saxton
Cantor	Kline (MN)	Schmidt
Capito	Knollenberg	Sensenbrenner
Carter	Kucinich	Sessions
Castle	Kuhl (NY)	Shadegg
Chabot	LaHood	Shays
Coble	Lamborn	Shimkus
Cole (OK)	Latham	Shuster
Conaway	LaTourette	Simpson
Crenshaw	Lewis (CA)	Smith (NE)
Cubin	Lewis (KY)	Smith (NJ)
Culberson	Linder	Smith (TX)
Davis (KY)	LoBiondo	Souder
Davis, David	Lucas	Stearns
Davis, Tom	Lungren, Daniel	Sullivan
Dent	E.	Tancredo
Diaz-Balart, L.	Mack	Taylor
Diaz-Balart, M.	Manzullo	Terry
Doolittle	Marchant	Thornberry
Drake	Marshall	Tiahrt
Dreier	McCarthy (CA)	Tiberi
Duncan	McCaul (TX)	Turner
Ehlers	McCotter	Upton
Emerson	McCrery	Walberg
English (PA)	McHenry	Walden (OR)
Everett	McHugh	Walsh (NY)
Fallin	McKeon	Wamp
Feeney	McMorris	Waters
Ferguson	Rodgers	Weldon (FL)
Flake	Mica	Weller
Forbes	Miller (FL)	Westmoreland
Fortenberry	Miller (MI)	Whitfield
Fossella	Miller, Gary	Wicker
Fox	Moore (WI)	Wilson (NM)
Franks (AZ)	Moran (KS)	Wilson (SC)
Frelinghuysen	Murphy, Tim	Wolf
Gallegly	Musgrave	Young (AK)

## NOT VOTING—7

Davis, Jo Ann Johnson, E. B. Young (FL)  
 Davis, Lincoln Kanjorski  
 Deal (GA) Radanovich

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining.

□ 1609

Ms. LORETTA SANCHEZ of California and Mr. CARNEY changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NATIVE AMERICAN METHAMPHETAMINE ENFORCEMENT AND TREATMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 545, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SANCHEZ) that the House suspend the rules and pass the bill, H.R. 545, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 183]

YEAS—423

Abercrombie	Buchanan	DeLauro
Ackerman	Burgess	Dent
Aderholt	Burton (IN)	Diaz-Balart, L.
Akin	Butterfield	Diaz-Balart, M.
Alexander	Buyer	Dicks
Allen	Calvert	Dingell
Altmire	Camp (MI)	Doggett
Andrews	Campbell (CA)	Donnelly
Arcuri	Cannon	Doolittle
Baca	Capito	Doyle
Bachmann	Capps	Drake
Bachus	Capuano	Dreier
Baird	Cardoza	Duncan
Baker	Carnahan	Edwards
Baldwin	Carney	Ehlers
Barrett (SC)	Carson	Ellison
Barrow	Carter	Ellsworth
Bartlett (MD)	Castle	Emanuel
Barton (TX)	Castor	Emerson
Bean	Chabot	Engel
Becerra	Chandler	English (PA)
Berkley	Clarke	Eshoo
Berman	Clay	Etheridge
Berry	Cleaver	Everett
Biggert	Clyburn	Fallin
Bilbray	Coble	Farr
Bilirakis	Cohen	Fattah
Bishop (GA)	Cole (OK)	Feeney
Bishop (NY)	Conaway	Ferguson
Bishop (UT)	Conyers	Filner
Blackburn	Cooper	Flake
Blumenauer	Costa	Forbes
Blunt	Costello	Fortenberry
Boehner	Courtney	Fossella
Bonner	Cramer	Fox
Bono	Crenshaw	Frank (MA)
Boozman	Crowley	Franks (AZ)
Boren	Cubin	Frelinghuysen
Boswell	Cuellar	Gallely
Boucher	Culberson	Garrett (NJ)
Boustany	Cummings	Gerlach
Boyd (FL)	Davis (AL)	Giffords
Boyd (KS)	Davis (CA)	Gilchrest
Brady (PA)	Davis (IL)	Gillibrand
Brady (TX)	Davis (KY)	Gillmor
Braley (IA)	Davis, David	Gingrey
Brown (SC)	Davis, Tom	Gohmert
Brown, Corrine	DeFazio	Gonzalez
Brown-Waite,	DeGette	Goode
Ginny	Delahunt	Goodlatte

Gordon	Marshall	Ruppersberger
Granger	Matheson	Rush
Graves	Matsui	Ryan (OH)
Green, Al	McCarthy (CA)	Ryan (WI)
Green, Gene	McCarthy (NY)	Salazar
Grijalva	McCaul (TX)	Sali
Gutierrez	McCollum (MN)	Sanchez, Linda
Hall (NY)	McCotter	T.
Hall (TX)	McCrery	Sanchez, Loretta
Hare	McDermott	Sarbanes
Harman	McGovern	Saxton
Hastert	McHenry	Schakowsky
Hastings (FL)	McHugh	Schiff
Hastings (WA)	McIntyre	Schmidt
Hayes	McKeon	Schwartz
Heller	McMorris	Scott (VA)
Hensarling	Rodgers	Sensenbrenner
Herger	McNerney	Serrano
Herseth	McNulty	Sessions
Higgins	Meehan	Sestak
Hill	Meek (FL)	Shadegg
Hinchev	Meeks (NY)	Shays
Hinojosa	Melancon	Shea-Porter
Hirono	Mica	Sherman
Hobson	Michaud	Shimkus
Hodes	Millender-	Shuler
Hoekstra	McDonald	Shuster
Holden	Miller (FL)	Simpson
Holt	Miller (MI)	Sires
Honda	Miller (NC)	Skelton
Hooley	Miller, Gary	Slaughter
Hoyer	Miller, George	Smith (NE)
Hulshof	Mitchell	Smith (NJ)
Hunter	Mollohan	Smith (TX)
Inglis (SC)	Moore (KS)	Smith (WA)
Inslee	Moore (WI)	Snyder
Israel	Moran (KS)	Solis
Issa	Moran (VA)	Souder
Jackson (IL)	Murphy (CT)	Space
Jackson-Lee	Murphy, Patrick	Spratt
(TX)	Murphy, Tim	Stark
Jefferson	Murtha	Stearns
Jindal	Musgrave	Stupak
Johnson (GA)	Myrick	Sullivan
Johnson (IL)	Nadler	Sutton
Johnson, Sam	Napolitano	Tancredo
Jones (OH)	Neal (MA)	Tanner
Jordan	Neugebauer	Tauscher
Kagen	Nunes	Taylor
Kaptur	Oberstar	Terry
Keller	Obey	Thompson (CA)
Kennedy	Oliver	Thompson (MS)
Kildee	Ortiz	Thornberry
Kilpatrick	Pallone	Tiahrt
Kind	Pascrell	Tiberi
King (IA)	Pasten	Tierney
King (NY)	Paul	Towns
Kingston	Payne	Turner
Kirk	Pearce	Udall (CO)
Klein (FL)	Pence	Udall (NM)
Kline (MN)	Perlmutter	Upton
Knollenberg	Peterson (MN)	Van Hollen
Kucinich	Peterson (PA)	Velázquez
Kuhl (NY)	Petri	Visclosky
LaHood	Pickering	Walberg
Lamborn	Pitts	Walden (OR)
Lampson	Platts	Walsh (NY)
Langevin	Poe	Walz (MN)
Lantos	Pomeroy	Wamp
Larsen (WA)	Porter	Wasserman
Larson (CT)	Price (GA)	Schultz
Latham	Price (NC)	Waters
LaTourette	Pryce (OH)	Watson
Lee	Putnam	Watt
Levin	Rahall	Waxman
Lewis (CA)	Ramstad	Weiner
Lewis (GA)	Rangel	Welch (VT)
Lewis (KY)	Regula	Weldon (FL)
Linder	Rehberg	Weller
Lipinski	Reichert	Westmoreland
LoBiondo	Renzi	Wexler
Loeb sack	Reyes	Whitfield
Lofgren, Zoe	Reynolds	Wicker
Lowey	Rodriguez	Wilson (NM)
Lucas	Rogers (AL)	Wilson (OH)
Lungren, Daniel	Rogers (KY)	Wilson (SC)
E.	Rohrabacher	Wolf
Lynch	Ros-Lehtinen	Woolsey
Mack	Roskam	Wu
Mahoney (FL)	Ross	Wynn
Maloney (NY)	Rothman	Yarmuth
Marchant	Roybal-Allard	Young (AK)
Markey	Royce	

## NOT VOTING—10

Cantor	Johnson, E. B.	Scott (GA)
Davis, Jo Ann	Jones (NC)	Young (FL)
Davis, Lincoln	Kanjorski	
Deal (GA)	Radanovich	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining to vote.

□ 1617

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—aye 256, noes 160, answered “present” 2, not voting 15, as follows:

[Roll No. 184]

AYES—256

Abercrombie	Cole (OK)	Hall (TX)
Ackerman	Conyers	Hare
Aderholt	Cooper	Harman
Alexander	Costa	Hastings (FL)
Allen	Costello	Hastings (WA)
Andrews	Courtney	Hayes
Baca	Cramer	Herseth
Bachus	Crowley	Higgins
Baker	Cuellar	Hill
Baldwin	Cummings	Hinchev
Bean	Davis (AL)	Hinojosa
Becerra	Davis (CA)	Hirono
Berkley	Davis (IL)	Hodes
Berman	Davis, Tom	Hoekstra
Berry	DeFazio	Holden
Bishop (GA)	DeGette	Hooley
Bishop (NY)	Delahunt	Hoyer
Bishop (UT)	DeLauro	Hunter
Blumenauer	Dent	Inslee
Bono	Dicks	Israel
Boren	Dingell	Jackson (IL)
Boswell	Doggett	Jackson-Lee
Boucher	Doolittle	(TX)
Boyd (FL)	Doyle	Jefferson
Boyd (KS)	Edwards	Jindal
Brady (PA)	Ehlers	Johnson (GA)
Braley (IA)	Ellison	Johnson (IL)
Brown (SC)	Emanuel	Jones (OH)
Brown, Corrine	Emerson	Kagen
Brown-Waite,	Engel	Kaptur
Ginny	Eshoo	Keller
Burgess	Etheridge	Kennedy
Butterfield	Farr	Kildee
Cannon	Fattah	Kilpatrick
Capps	Feeney	Kind
Capuano	Ferguson	Kingston
Cardoza	Filner	Klein (FL)
Carnahan	Fortenberry	Kline (MN)
Carney	Frank (MA)	Kucinich
Carson	Gerlach	Lampson
Castle	Gillmor	Langevin
Castor	Gonzalez	Larson (CT)
Chandler	Goodlatte	LaTourette
Clarke	Gordon	Lee
Clay	Green, Al	Levin
Cleaver	Green, Gene	Lewis (GA)
Clyburn	Grijalva	Lipinski
Coble	Gutierrez	Loeb sack
Cohen	Hall (NY)	Lofgren, Zoe

Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matsui  
McCarthy (NY)  
McCaull (TX)  
McCollum (MN)  
McDermott  
McGovern  
McIntyre  
McMorris  
Rodgers  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Michaud  
Millender-  
McDonald  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murtha  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz

## NOES—160

Akin  
Altmire  
Arcuri  
Bachmann  
Baird  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Biggert  
Bilbray  
Bilirakis  
Blackburn  
Blunt  
Boehner  
Bonner  
Boozman  
Boustany  
Brady (TX)  
Buchanan  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cantor  
Capito  
Carter  
Chabot  
Conaway  
Crenshaw  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Diaz-Balart, L.  
Diaz-Balart, M.  
Donnelly  
Drake  
Dreier  
Duncan  
Ellsworth  
English (PA)  
Everett  
Fallin  
Flake  
Forbes  
Fossella  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Giffords

Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Peterson (PA)  
Platts  
Pomeroy  
Price (NC)  
Rahall  
Reichert  
Renzi  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sali  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shimkus  
Simpson  
Sires  
Skelton

Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Souder  
Space  
Spratt  
Stark  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (MS)  
Thornberry  
Tiahrt  
Tierney  
Towns  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Whitfield  
Wilson (NM)  
Wilson (OH)  
Wynn  
Yarmuth

Perlmuter  
Peterson (MN)  
Petri  
Pickering  
Pitts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Ramstad  
Regula  
Rehberg  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Saxton  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shays  
Shuler  
Shuster  
Smith (NE)  
Smith (TX)  
Stearns  
Stupak  
Sullivan  
Terry  
Thompson (CA)  
Tiberi  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Walberg  
Walsh (NY)  
Wamp  
Weldon (FL)  
Weller  
Westmoreland  
Wicker  
Wilson (SC)  
Wolf  
Wu  
Young (AK)

## NOT VOTING—15

Davis, Jo Ann  
Davis, Lincoln  
Deal (GA)  
Honda  
Johnson, E. B.  
Jones (NC)  
Kanjorski  
Lantos  
Lowey  
Murphy, Tim  
Nadler  
Radanovich  
Rangel  
Woolsey  
Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1626

So the Journal was approved.

The result of the vote was announced as above recorded.

# PROVIDING FOR CONSIDERATION OF H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 261, I call up the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 261, the amendment printed in House Report 110-64 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

## H.R. 1591

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, and for other purposes, namely:

## TITLE I—SUPPLEMENTAL APPROPRIATIONS FOR THE GLOBAL WAR ON TERROR

## CHAPTER 1

### DEPARTMENT OF AGRICULTURE FOREIGN AGRICULTURAL SERVICE

## PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$450,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 2

## DEPARTMENT OF JUSTICE

## LEGAL ACTIVITIES

### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$1,648,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency oper-

ations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$5,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## UNITED STATES MARSHALS SERVICE

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$2,750,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## NATIONAL SECURITY DIVISION

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$1,736,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## FEDERAL BUREAU OF INVESTIGATION

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$118,260,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## DRUG ENFORCEMENT ADMINISTRATION

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$8,468,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$4,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is

## ANSWERED “PRESENT”—2

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designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### FEDERAL PRISON SYSTEM SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$17,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### CHAPTER 3

#### DEPARTMENT OF DEFENSE—MILITARY MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$8,878,899,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$1,100,410,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,495,828,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,229,334,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$173,244,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$82,800,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$15,000,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$14,100,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$552,725,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$24,600,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$20,897,672,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, NAVY

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Navy", \$5,115,397,000, of which up to \$120,293,000 may be transferred to Coast Guard "Operating Expenses", for reimbursement for activities which support activities requested by the Navy: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related

to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,503,694,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$6,909,259,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$2,855,993,000, of which not to exceed \$300,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key co-operating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$74,049,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$111,066,000: *Provided*, That the amount provided under this heading is designated as



making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$13,591,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$10,160,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$133,569,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$38,429,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### AFGHANISTAN SECURITY FORCES FUND

For an additional amount for "Afghanistan Security Forces Fund", \$5,906,400,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### IRAQ SECURITY FORCES FUND

For an additional amount for "Iraq Security Forces Fund", \$3,842,300,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### IRAQ FREEDOM FUND

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Iraq Freedom Fund", \$155,600,000, to remain available for transfer until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

For an additional amount for "Joint Improvised Explosive Device Defeat Fund", \$2,432,800,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### STRATEGIC RESERVE READINESS FUND

##### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided in this or any other Act, for training, operations, repair of equipment, purchases of equipment, and other expenses related to improving the readiness of non-deployed United States military forces, \$2,500,000,000, to remain available until expended: *Provided*, That the Secretary of Defense may transfer funds provided herein only to appropriations for military personnel, operation and maintenance, procurement, and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary of Defense shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfers made pursuant to this authority: *Provided further*, That funds shall be transferred to the appropriation accounts not later than 120 days after the enactment of this Act: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$461,850,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$160,173,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$3,474,389,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$681,500,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$10,197,399,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$995,797,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$171,813,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine

Corps", \$159,833,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$937,407,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$1,885,383,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$2,474,916,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$140,300,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$95,800,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,042,183,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations,

pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$934,930,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$60,781,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$295,737,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$132,928,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$545,904,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$1,315,526,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly re-

lated to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### NATIONAL DEFENSE SEALIFT FUND

For an additional amount for "National Defense Sealift Fund", \$5,000,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$2,789,703,000; of which \$2,289,703,000 shall be for operation and maintenance, which shall remain available until September 30, 2008; and of which \$500,000,000 shall be for research, development, test and evaluation, which shall remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$259,115,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### RELATED AGENCIES

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for "Intelligence Community Management Account", \$57,426,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Appropriations provided in this chapter are available for obligation until September 30, 2007, unless otherwise provided in this chapter.

##### (TRANSFER OF FUNDS)

SEC. 1302. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to \$3,500,000,000 of the funds made available to the Department of Defense in this chapter: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and

is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2007 (Public Law 109-289; 120 Stat. 1257), except for the fourth proviso.

SEC. 1303. Funds appropriated in this chapter, or made available by the transfer of funds in or pursuant to this chapter, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 1304. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

(TRANSFER OF FUNDS)

SEC. 1305. During fiscal year 2007, the Secretary of Defense may transfer amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority: *Provided further*, That funds made available pursuant to this section are designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SEC. 1306. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this chapter under the heading, “Drug Interdiction and Counter-Drug Activities, Defense”, not to exceed \$100,000,000 may be used for support for counter-drug activities of the Governments of Afghanistan and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

(1) Except as specified in subsection (b)(2) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, as amended by Public Laws 106-398, 108-136, and 109-364) and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2007.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

SEC. 1307. (a) From funds made available for operation and maintenance in this chapter to the Department of Defense, not to exceed \$456,000,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi and Afghan people.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal year quar-

ter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 1308. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1309. Section 9010 of division A of Public Law 109-289 is amended by striking “2007” each place it appears and inserting “2008”.

SEC. 1310. Section 1005(c)(2) of the National Defense Authorization Act, FY 2007 (Public Law 109-364) is amended by striking “\$310,277,000” and inserting “\$376,446,000”.

SEC. 1311. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(TRANSFER OF FUNDS)

SEC. 1312. (a) Of the funds appropriated or made available in this chapter under the heading “Operation and Maintenance, Defense-Wide”, up to \$100,000,000 may be made available for transfer to the Department of State “Economic Support Fund” account to support provincial reconstruction teams in Iraq and Afghanistan: *Provided*, That these funds may be transferred by the Secretary of Defense only if he determines such amounts are required to assist in reconstruction efforts in Iraq and Afghanistan.

(b) The transfer authority in this section is in addition to any other transfer authority available to the Department of Defense.

(c) The Secretary shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of such transfer.

SEC. 1313. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code;

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations;

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148); and

(4) The limitation included in this section also applies to renditions.

SEC. 1314. (a) Not more than 50 percent of the amount of the funds appropriated by this Act under each of the headings “Iraq Security Forces Fund” and “Afghanistan Security Forces Fund” shall be available for obli-

gation or expenditure until the Secretary of Defense submits the initial report required by subsection (b) and the Director of the Office of Management and Budget submits the initial report required by subsection (c).

(b) REPORT BY SECRETARY OF DEFENSE.—

(1) The Secretary of Defense shall submit to the congressional defense committees a report that contains individual transition readiness assessments by unit of Iraq and Afghan security forces. The Secretary of Defense shall submit to the congressional defense committees updates of the report required by this subsection on a monthly basis until October 1, 2008. The report and updates of the report required by this subsection shall be submitted in classified form.

(2) In this subsection, the term “congressional defense committees” means the Committees on Appropriations and Armed Services of the House of Representatives and the Committees on Appropriations and Armed Services of the Senate.

(c) REPORT BY OMB.—

(1) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command—Iraq; the Commander, Combined Security Transition Command—Afghanistan; and the Committees on Appropriations of the House of Representatives and the Senate, shall submit to the Committees on Appropriations not later than 60 days after the date of the enactment of this Act and every 90 days thereafter a report on the proposed use of all funds under each of the headings “Iraq Security Forces Fund” and “Afghanistan Security Forces Fund” on a project-by-project basis, for which the obligation of funds is anticipated during the three month period from such date, including estimates by the commanders referred to in this paragraph of the costs required to complete each such project.

(2) The report required by this subsection shall include the following:

(A) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in paragraph (1) were obligated prior to the submission of the report, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(B) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in paragraph (1) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(C) An estimated total cost to train and equip the Iraq and Afghan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

(d) NOTIFICATION.—The Secretary of Defense shall notify the Committees on Appropriations of the House of Representatives and the Senate of any proposed new projects or transfers of funds between sub-activity groups in excess of \$15,000,000 using funds appropriated by this Act under the headings “Iraq Security Forces Fund” and “Afghanistan Security Forces Fund”.

SEC. 1315. None of the funds appropriated or otherwise made available by this chapter may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, FY 2007 (Public Law 109-364).

SEC. 1316. (a) Not more than 90 percent of the funds appropriated in this chapter for operation and maintenance shall be available for obligation unless and until the Secretary

of Defense submits to the congressional defense committees a report detailing the use of contracted services in support of United States military and reconstruction activities in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall prepare the report in consultation with the Director of the Office of Management and Budget and the Secretary of State: *Provided further*, That the report shall provide detailed information specifying the number of contracts, private contractors, and contractor personnel used to provide services in fiscal year 2006, with sub-allocations by major service categories: *Provided further*, That the report also shall include estimates of the number of contracts to be executed in fiscal year 2007 with the associated number of contractors and contractor personnel, and provide information regarding the Federal department(s) or agency(s) responsible for executing these contracts: *Provided further*, That the report shall be submitted to the congressional defense committees not later than 90 days after enactment of this Act.

(b) Amounts appropriated for operation and maintenance in this chapter are hereby reduced by \$815,000,000 to reflect savings attributable to efficiencies and management improvements in the funding of contracts in the military departments: *Provided*, That the Secretary of Defense shall allocate this reduction proportionally to each operation and maintenance account contained in this chapter: *Provided further*, That the Secretary of Defense shall, not fewer than five days prior to making such reductions, notify the congressional defense committees in writing of the details of such reductions.

SEC. 1317. Section 1477 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “A death gratuity” and inserting “Subject to subsection (d), a death gratuity”;

(2) by redesignating subsection (d) as subsection (e) and, in such subsection, by striking “If an eligible survivor dies before he” and inserting “If a person entitled to all or a portion of a death gratuity under subsection (a) or (d) dies before the person” ; and

(3) by inserting after subsection (c) the following new subsection (d):

“(d) During the period beginning on the date of the enactment of this subsection and ending on September 30, 2007, a person covered by section 1475 or 1476 of this title may designate another person to receive not more than 50 percent of the amount payable under section 1478 of this title. The designation shall indicate the percentage of the amount, to be specified only in 10 percent increments up to the maximum of 50 percent, that the designated person may receive. The balance of the amount of the death gratuity shall be paid to or for the living survivors of the person concerned in accordance with paragraphs (1) through (5) of subsection (a).”.

SEC. 1318. Section 9007 of division A of Public Law 109-289 is amended by striking “20” and inserting “170”.

SEC. 1319. Section 1403(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398), as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) and section 1073 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended by striking “September 30, 2007” and inserting “June 30, 2008”.

SEC. 1320. There is appropriated to the Secretary of Defense such sums as may be necessary to implement the recommendations of the Army Inspector General with regard to trained military attorneys dedicated to representing soldiers who are pursuing claims

before physical evaluation boards and earlier in the Army disability evaluation system process.

#### CHAPTER 4

##### DEPARTMENT OF ENERGY

##### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY

##### ADMINISTRATION

##### DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, \$150,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### CHAPTER 5

##### DEPARTMENT OF HOMELAND SECURITY

##### DEPARTMENTAL MANAGEMENT AND OPERATIONS

##### ANALYSIS AND OPERATIONS

For an additional amount for “Analysis and Operations”, \$35,000,000, to remain available until September 30, 2008, to be used for expansion of the State and Local Fusion Center program: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### CUSTOMS AND BORDER PROTECTION

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Salaries and Expenses”, \$100,000,000, to remain available until September 30, 2008, to be used to increase the number of inspectors, intelligence analysts and support staff responsible for container security inspections, and for other efforts to improve supply chain security: *Provided*, That up to \$1,000,000 shall be transferred to “Salaries and Expenses, Federal Law Enforcement Training Center” for basic training costs: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### AIR AND MARINE INTERDICTION, OPERATIONS,

##### MAINTENANCE, AND PROCUREMENT

For an additional amount for “Air and Marine Interdiction, Operations, Maintenance, and Procurement”, \$150,000,000, to remain available until September 30, 2008, to be used to complete and expand airwings on the Northern Border: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### TRANSPORTATION SECURITY ADMINISTRATION

##### AVIATION SECURITY

For an additional amount for “Aviation Security”, \$1,250,000,000, to remain available

until expended: *Provided*, That of the total amount provided under this heading, \$1,000,000,000 shall be for explosive detection procurement and installation, \$90,000,000 shall be for expansion of checkpoint explosive detection pilot systems, and \$160,000,000 shall be for screening of cargo carried on passenger aircraft: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### NATIONAL PROTECTION AND PROGRAMS

##### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For an additional amount for “Infrastructure Protection and Information Security”, \$25,000,000, to remain available until September 30, 2008, to be used for development of State and local interoperability plans in conjunction with the SAFECOM program office: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### FEDERAL EMERGENCY MANAGEMENT AGENCY

##### SALARIES AND EXPENSES

For salaries and expenses of the Federal Emergency Management Agency, \$25,000,000, to remain available until September 30, 2008, for regional disaster communications capability and support for mutual aid agreements: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### STATE AND LOCAL PROGRAMS

For an additional amount for “State and Local Programs”, \$415,000,000, of which \$190,000,000 shall be for port security grants and \$225,000,000 shall be for intercity rail passenger transportation, freight rail, and transit security grants: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For an additional amount for “Emergency Management Performance Grants”, \$100,000,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### DOMESTIC NUCLEAR DETECTION OFFICE

##### SYSTEMS ACQUISITION

For an additional amount for “Systems Acquisition”, \$400,000,000, to remain available until expended: *Provided*, That the

amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### GENERAL PROVISIONS—THIS CHAPTER

##### SEC. 1501. (a) LIMITATION ON USE OF FUNDS.—

(1) IN GENERAL.—None of the funds made available in this or any other Act shall be used by the Secretary of Homeland Security to approve a site security plan for a chemical facility, unless the facility meets or exceeds security standards or requirements established for such a facility by the State or local government for the area where the facility is located.

(2) DEFINITIONS.—In this subsection, each of the terms “site security plan” and “chemical facility” has the meaning that the term has in section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 120 Stat. 1388).

(b) AMENDMENTS.—Section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 120 Stat. 1388) is amended—

(1) in subsection (a), by striking “the Secretary may not disapprove a site security plan submitted under this section based on the presence or absence of a particular security measure, but”;;

(2) in subsection (c), by striking “consistent with similar” and inserting “identical to the protections given”;

(3) in subsection (c), by striking “, site security plans, and other information submitted to or obtained by the Secretary under this section, and related vulnerability or security information, shall be treated as if the information were classified material” and inserting “and site security plans shall be treated as sensitive security information (as that term is used in section 1520.5 of title 49, Code of Federal Regulations)”; and

(4) in subsection (d), by striking “: *Provided*, That nothing in this section confers upon any person except the Secretary a right of action against an owner or operator of a chemical facility to enforce any provision of this section”.

#### CHAPTER 6 LEGISLATIVE BRANCH HOUSE OF REPRESENTATIVES

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$6,437,000, as follows:

##### ALLOWANCES AND EXPENSES

For an additional amount for allowances and expenses as authorized by House resolution or law, \$6,437,000 for business continuity and disaster recovery, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### CHAPTER 7 DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$1,329,240,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design

and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$168,200,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds provided under this heading, \$25,600,000 shall not be obligated or expended until the Secretary of Defense submits an updated 1391 form that addresses the actual housing requirement for the Consolidated Compound in Kabul, Afghanistan, to the Committees on Appropriations of the House of Representatives and Senate and an approval is issued: *Provided further*, That of the funds made available under this heading, \$369,690,000 shall not be obligated or expended until the Secretary of Defense submits a detailed report explaining how military road construction is coordinated with NATO and coalition nations: *Provided further*, That of the funds made available under this heading, \$401,700,000 shall not be obligated or expended until the Secretary of Defense submits a detailed spending plan, including a 1391 form for each project, to support Army end-strength growth to the Committees on Appropriations of the House of Representatives and Senate and an approval is issued: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$389,300,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$49,600,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds made available under this heading, \$200,000,000 shall not be obligated or expended until the Secretary of Defense submits a detailed spending plan, including a 1391 form, for each project to support Marine Corps end-strength growth to the Committees on Appropriations of the House of Representatives and Senate and an approval is issued: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$60,200,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$3,900,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated

defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$3,136,802,000, to remain available until expended: *Provided*, That within 30 days of the enactment of this Act, the Secretary of Defense shall submit a detailed spending plan to the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### DEPARTMENT OF VETERANS AFFAIRS VETERANS BENEFITS ADMINISTRATION

##### COMPENSATION AND PENSIONS

For an additional amount for “Compensation and Pensions”, \$20,000,000, to remain available until expended, for a pilot program for disability examinations as authorized by law (38 U.S.C. 5101 note).

##### VETERANS HEALTH ADMINISTRATION

##### MEDICAL SERVICES

For an additional amount for “Medical Services”, \$414,982,000, to remain available until expended, of which \$30,000,000 shall be for a new Level I comprehensive polytrauma center; \$56,000,000 shall be for prosthetics; \$100,000,000 shall be for contract mental health care when appointment waiting times exceed 30 days; and \$228,982,000 shall be for treatment of veterans of the global war on terror: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MEDICAL ADMINISTRATION

For an additional amount for “Medical Administration”, \$256,300,000, to remain available until expended, of which \$6,300,000 shall be used for polytrauma support clinic teams for case management: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### MEDICAL FACILITIES

For an additional amount for “Medical Facilities”, \$595,000,000, to remain available until expended, of which \$45,000,000 shall be used for upgrades to polytrauma care centers; and \$550,000,000 shall be for non-recurring maintenance as identified in the Department of Veterans Affairs Facility Condition Assessment report: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to

section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### MEDICAL AND PROSTHETIC RESEARCH

For an additional amount for “Medical and Prosthetic Research”, \$35,000,000, to remain available until expended, which shall be used for research initiatives related to Operation Iraqi Freedom/Operation Enduring Freedom survivors: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL OPERATING EXPENSES

For an additional amount for “General Operating Expenses”, \$62,000,000, to remain available until expended, of which \$1,250,000 shall be for digitization of records and \$60,750,000 shall be for expenses related to hiring and training new claims processing personnel: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for “Information Technology Systems”, \$35,000,000, to remain available until expended, for system development upgrades to address global war on terror requirements: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### CONSTRUCTION, MAJOR PROJECTS

For an additional amount for “Construction, Major Projects”, \$23,800,000, to remain available until expended, which shall be for the authorized completion of a spinal cord injury center: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### CONSTRUCTION, MINOR PROJECTS

For an additional amount for “Construction, Minor Projects”, \$260,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### CHAPTER 8

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Diplomatic and Consular Programs”, \$966,954,000, to re-

main available until September 30, 2008, of which \$102,155,000 for World Wide Security Upgrades is available until expended: *Provided*, That of the amount available under this heading, \$258,000 shall be transferred to, and merged with, funds available in fiscal year 2007 for expenses for the United States Commission on International Religious Freedom: *Provided further*, That \$395,000,000 of the amount available for Iraq operations shall not be obligated until the Committee on Appropriations of the House of Representatives receives and approves a detailed plan for expenditure, prepared by the Secretary of State, and submitted within 60 days after the date of enactment of this Act: *Provided further*, That up to \$50,000,000 may be made available to establish and maintain a civilian reserve corps: *Provided further*, That none of the funds for a civilian reserve corps may be obligated without specific authorization in a subsequent Act of Congress: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OFFICE OF THE INSPECTOR GENERAL

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Office of Inspector General”, \$46,800,000, to remain available until December 31, 2008: *Provided*, That \$45,500,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for “Educational and Cultural Exchange Programs”, \$20,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### INTERNATIONAL ORGANIZATIONS

##### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for “Contributions for International Peacekeeping Activities”, \$288,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### RELATED AGENCY

##### BROADCASTING BOARD OF GOVERNORS

##### INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations”, for activities related to broadcasting to the Middle East, \$10,000,000, to remain available until

September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### BILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for “Child Survival and Health Programs Fund”, \$161,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for “International Disaster and Famine Assistance”, \$135,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for “Operating Expenses of the United States Agency for International Development”, \$10,700,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For an additional amount for “Operating Expenses of the United States Agency for International Development Office of Inspector General”, \$3,500,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

For an additional amount for “Economic Support Fund”, \$2,953,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th



Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

For an additional amount for "Assistance for Eastern Europe and the Baltic States", \$239,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW  
ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", \$334,500,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", \$111,500,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

UNITED STATES EMERGENCY REFUGEE AND  
MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$35,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

NONPROLIFERATION, ANTI-TERRORISM, DEMINING  
AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-Terrorism, Demining, and Related Programs", \$87,500,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

DEPARTMENT OF THE TREASURY  
INTERNATIONAL AFFAIRS TECHNICAL  
ASSISTANCE

For an additional amount for "International Affairs Technical Assistance", \$2,750,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as

making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT  
FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$260,000,000: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$225,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1801. Section 3001(o)(1)(B) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452) is amended by striking "fiscal year 2006" and inserting "fiscal years 2006, 2007, or 2008".

SEC. 1802. (a) LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR LEBANON.—None of the funds made available in this Act under the heading "ECONOMIC SUPPORT FUND" for cash transfer assistance for the Government of Lebanon may be made available for obligation until the Secretary of State reports to the Committees on Appropriations of the House of Representatives and the Senate on Lebanon's economic reform plan and on the specific conditions and verifiable benchmarks that have been agreed upon by the United States and the Government of Lebanon pursuant to the Memorandum of Understanding on cash transfer assistance for Lebanon.

(b) LIMITATION ON FOREIGN MILITARY FINANCING PROGRAM AND INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT ASSISTANCE FOR LEBANON.—None of the funds made available in this Act under the heading "FOREIGN MILITARY FINANCING PROGRAM" or "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT" for military or police assistance to Lebanon may be made available for obligation until the Secretary of State submits to the Committees on Appropriations of the House of Representatives and the Senate a report on procedures established to determine eligibility of members and units of the armed forces and police forces of Lebanon to participate in United States training and assistance programs and on the end use monitoring of all equipment provided under such programs to the Lebanese armed forces and police forces.

(c) REPORT REQUIRED.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the Government of Lebanon's ac-

tions to implement section 14 of United Nations Security Council Resolution 1701 (August 11, 2006).

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 1901. (a) Congress finds that it is Defense Department policy that units should not be deployed for combat unless they are rated "fully mission capable".

(b) None of the funds appropriated or otherwise made available in this or any other Act may be used to deploy any unit of the Armed Forces to Iraq unless the chief of the military department concerned has certified in writing to the Committees on Appropriations and the Committees on Armed Services at least 15 days in advance of the deployment that the unit is fully mission capable.

(c) For purposes of subsection (b), the term "fully mission capable" means capable of performing assigned mission essential tasks to prescribed standards under the conditions expected in the theater of operations, consistent with the guidelines set forth in the Department of Defense readiness reporting system.

(d) The President, by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that the deployment to Iraq of a unit that is not assessed fully mission capable is required for reasons of national security and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary despite the chief of the military department's assessment that the unit is not fully mission capable, may waive the limitation prescribed in subsection (b) on a unit-by-unit basis.

SEC. 1902. (a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be deployed for combat beyond 365 days or that Marine Corps and Marine Corps Reserve units should not be deployed for combat beyond 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of extending the deployment for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard beyond 365 days; or

(2) any unit of the Marine Corps or Marine Corps Reserve beyond 210 days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq prior to January 10, 2007.

(d) The President, by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that the extension of a unit's deployment in Iraq beyond the periods specified in subsection (b) is required for reasons of national security and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's extended deployment is necessary, may waive the limitations prescribed in subsection (b) on a unit-by-unit basis.

SEC. 1903. (a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be redeployed for combat if the unit has been deployed within the previous 365 consecutive days or that Marine Corps and Marine Corps Reserve units should not be redeployed for combat if the unit has been deployed within the previous 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate

the development of, continue the development of, or execute any order that has the effect of deploying for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard if such unit has been deployed within the previous 365 consecutive days; or

(2) any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq prior to January 10, 2007.

(d) The President, by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that the redeployment of a unit to Iraq in advance of the periods specified in subsection (b) is required for reasons of national security and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's redeployment is necessary, may waive the limitations prescribed in subsection (b) on a unit-by-unit basis.

SEC. 1904. (a) The President shall make and transmit to Congress the following determinations, along with reports in classified and unclassified form detailing the basis for each determination, on or before July 1, 2007:

(1) whether the Government of Iraq has given United States Armed Forces and Iraqi Security Forces the authority to pursue all extremists, including Sunni insurgents and Shiite militias, and is making substantial progress in delivering necessary Iraqi Security Forces for Baghdad and protecting such Forces from political interference; intensifying efforts to build balanced security forces throughout Iraq that provide evenhanded security for all Iraqis; ensuring that Iraq's political authorities are not undermining or making false accusations against members of the Iraqi Security Forces; eliminating militia control of local security; establishing a strong militia disarmament program; ensuring fair and just enforcement of laws; establishing political, media, economic, and service committees in support of the Baghdad Security Plan; and eradicating safe havens;

(2) whether the Government of Iraq is making substantial progress in meeting its commitment to pursue reconciliation initiatives, including enactment of a hydro-carbon law; adoption of legislation necessary for the conduct of provincial and local elections; reform of current laws governing the de-Baathification process; amendment of the Constitution of Iraq; and allocation of Iraqi revenues for reconstruction projects; and

(3) whether the Government of Iraq and United States Armed Forces are making substantial progress in reducing the level of sectarian violence in Iraq.

(b) On or before October 1, 2007, the President—

(1) shall certify to the Congress that the Government of Iraq has enacted a broadly accepted hydro-carbon law that equitably shares oil revenues among all Iraqis; adopted legislation necessary for the conduct of provincial and local elections, taken steps to implement such legislation, and set a schedule to conduct provincial and local elections; reformed current laws governing the de-Baathification process to allow for more equitable treatment of individuals affected by such laws; amended the Constitution of Iraq consistent with the principles contained in article 137 of such constitution; and allocated and begun expenditure of \$10 billion in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis; or

(2) shall report to the Congress that he is unable to make such certification.

(c) If in the transmissions to Congress required by subsection (a) the President determines that any of the conditions specified in such subsection have not been met, or if the President is unable to make the certification specified in subsection (b) by the required date, the Secretary of Defense shall commence the redeployment of the Armed Forces from Iraq and complete such redeployment within 180 days.

(d) If the President makes the certification specified in subsection (b), the Secretary of Defense shall commence the redeployment of the Armed Forces from Iraq not later than March 1, 2008, and complete such redeployment within 180 days.

(e) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this or any other Act are immediately available for obligation and expenditure to plan and execute a safe and orderly redeployment of the Armed Forces from Iraq, as specified in subsections (c) and (d).

(f) After the conclusion of the 180-day period for redeployment specified in subsections (c) and (d), the Secretary of Defense may not deploy or maintain members of the Armed Forces in Iraq for any purpose other than the following:

(1) Protecting American diplomatic facilities and American citizens, including members of the U.S. Armed Forces.

(2) Serving in roles consistent with customary diplomatic positions.

(3) Engaging in targeted special actions limited in duration and scope to killing or capturing members of al-Qaeda and other terrorist organizations with global reach.

(4) Training members of the Iraqi Security Forces.

(g) Notwithstanding any other provision of law, 50 percent of the funds appropriated by title I of this Act for assistance to Iraq under each of the headings "IRAQ SECURITY FORCES FUND", "ECONOMIC SUPPORT FUND", and "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT" shall be withheld from obligation until the President has made a certification to Congress regarding the matters specified in subsection (b)(1).

(h) The requirement to withhold funds from obligation pursuant to subsection (g) shall not apply with respect to funds made available under the heading "ECONOMIC SUPPORT FUND" for continued support for the Community Action Program and Community Stabilization Program in Iraq administered by the United States Agency for International Development or for programs and activities to promote democracy in Iraq.

SEC. 1905. (a) COORDINATOR FOR IRAQ ASSISTANCE.—Not later than 30 days after the date of the enactment of this Act, the President shall appoint a Coordinator for Iraq Assistance (hereinafter in this section referred to as the "Coordinator"), by and with the advice and consent of the Senate, who shall report directly to the President.

(b) DUTIES.—The Coordinator shall be responsible for—

(1) Developing and implementing an overall strategy for political, economic, and military assistance for Iraq;

(2) Coordinating and ensuring coherence of Iraq assistance programs and policy among all departments and agencies of the Government of the United States that are implementing assistance programs in Iraq, including the Department of State, the United States Agency for International Development, the Department of Defense, the Department of the Treasury, and the Department of Justice;

(3) Working with the Government of Iraq in meeting the benchmarks described in sec-

tion 1904(b) of this Act in order to ensure Iraq continues to be eligible to receive United States assistance described in such section;

(4) Coordinating with other donors and international organizations that are providing assistance for Iraq;

(5) Ensuring adequate management and accountability of United States assistance programs for Iraq;

(6) Resolving policy and program disputes among departments and agencies of the United States Government that are implementing assistance programs in Iraq; and

(7) Coordinating United States assistance programs with the reconstruction programs funded and implemented by the Government of Iraq.

(c) RANK AND STATUS.—The Coordinator shall have the rank and status of ambassador.

SEC. 1906. Notwithstanding any other provision of law, none of the funds in this or any other Act may be used to close Walter Reed Army Medical Center.

#### SEC. 1907. CONGRESSIONAL PLEDGE TO FULLY SUPPORT MEMBERS OF THE ARMED FORCES IN HARM'S WAY.

(a) FINDINGS.—Congress makes the following findings:

(1) On September 14, 2001, both the Senate and the House of Representatives passed S.J. Res. 23 of the 107th Congress, which became Public Law 107-40 and authorized the use of military force in Afghanistan.

(2) On October 10, 2002, the House of Representatives passed H.J. Res. 114 of the 107th Congress, which authorized the use of military force in Iraq.

(3) After passage by the Senate, H.J. Res. 114 became Public Law 107-243, the Authorization for Use of Military Force Against Iraq Resolution of 2002.

(4) Members of the United States Armed Forces have served honorably in their mission to fight terrorism and protect the greater security of the United States.

(5) These members of the Armed Forces and their families have made many sacrifices, in many cases the ultimate sacrifice, to protect the security of the United States and the freedom Americans hold dear.

(6) Congress and the American people are forever grateful to the members of the Armed Forces for the service they have provided to the United States.

(b) FAITHFUL SUPPORT OF CONGRESS.—Congress will fully support the needs of members of the Armed Forces who the Commander in Chief has deployed in harm's way in support of Operation Iraqi Freedom and Operation Enduring Freedom, and their families.

#### SEC. 1908. SENSE OF THE CONGRESS REGARDING PRESIDENT AS COMMANDER IN CHIEF AND CONGRESSIONAL POWER TO DECLARE WAR.

(a) It is the sense of Congress that Congress acknowledges the President as the Commander in Chief, and that role is granted solely to the President by article II, section 2, of the United States Constitution.

(b) It is further the sense of Congress that Congress has the power solely to declare war under article I, section 8, clause 11, of the United States Constitution.

#### SEC. 1909. SENSE OF CONGRESS REGARDING CONDUCT OF IRAQ WAR BY COMMANDERS.

It is the sense of Congress that, because the commanders of the United States Armed Forces in Iraq have the training, experience, and first-hand knowledge of the situation on the ground—

(1) the commanders should be allowed to conduct the war and manage the movements of the troops; and

(2) Congress should remain focused on executing its oversight role.

TITLE II—ADDITIONAL HURRICANE  
DISASTER

## RELIEF AND RECOVERY

## CHAPTER 1

## DEPARTMENT OF AGRICULTURE

## GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. In addition to the funds provided elsewhere in this Act, \$25,000,000 is appropriated to the Secretary of Agriculture, to remain available through September 30, 2008, to resume the 2005 Hurricanes Livestock Indemnity Program to provide additional compensation to livestock producers in the geographic area covered by the natural disaster declaration related to Hurricane Katrina or Hurricane Rita that suffered losses in excess of the maximum amount of assistance authorized under the 2005 Hurricanes Livestock Indemnity Program. The total amount of assistance that an eligible producer may receive for such additional livestock losses under this section, the 2005 Hurricanes Livestock Indemnity Program, or any other provision of law may not exceed twice the maximum amount of assistance authorized under the 2005 Hurricanes Livestock Indemnity Program. The amount provided under this section is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SEC. 2102. In addition to the funds provided elsewhere in the Act, \$15,000,000 is appropriated to the Secretary of Agriculture, to remain available through September 30, 2008, for the purpose of providing assistance, in connection with the provision of emergency financial assistance for losses for 2005 or 2006 crops due to damaging weather or any related condition, to producers with respect to irrigated crops in the geographic area covered by the natural disaster declaration related to Hurricane Katrina or Hurricane Rita that, due to contamination by saltwater intrusion resulting from Hurricane Katrina or Hurricane Rita, were planted in 2006 and suffered a loss or were prevented from being planted. However, the factors otherwise applicable under section 1480.12(g) of title 7, Code of Federal Regulations, shall not apply to the provision of such assistance. The amount provided under this section is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SEC. 2103. In addition to the funds provided elsewhere in this Act, \$100,000,000 is appropriated to the Secretary of Agriculture, to remain available through September 30, 2008, to resume the 2005 Hurricanes Citrus Program to provide additional compensation to citrus producers in the geographic area covered by the natural disaster declaration related to Hurricane Katrina or Hurricane Rita that suffered losses in excess of the maximum amount of assistance authorized under the 2005 Hurricanes Citrus Program. The total amount of assistance that an eligible producer may receive for such additional citrus losses under this section, the 2005 Hurricanes Citrus Program, or any other provision of law may not exceed twice the maximum amount of assistance authorized under the 2005 Hurricanes Citrus Program. The amount provided under this section is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 2

## DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

## OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities” for necessary expenses related to the consequences of Hurricane Katrina on the shrimp and menhaden fishing industries, \$120,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION

## EXPLORATION CAPABILITIES

For an additional amount for “Exploration Capabilities” for necessary expenses related to the consequences of Hurricane Katrina, \$35,000,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## GENERAL PROVISION—THIS CHAPTER

SEC. 2201. Up to \$48,000,000 of amounts made available to the National Aeronautics and Space Administration in Public Law 109-148 and Public Law 109-234 for emergency hurricane and other natural disaster-related expenses may be used to reimburse hurricane-related costs incurred by NASA in fiscal year 2005: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 3

## DEPARTMENT OF DEFENSE—CIVIL

## DEPARTMENT OF THE ARMY

## CORPS OF ENGINEERS—CIVIL

## CONSTRUCTION

For an additional amount for “Construction” to reduce the risk of hurricane and storm damage to the Mississippi coastal area, \$37,080,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses related to the consequences of Hurricane Katrina, \$1,300,000,000, to remain available until expended: *Provided*, That this amount shall be used to restore the flood damage reduction and hurricane and storm damage reduction projects, and related works, to provide the level of protection for which they were designed, and to accelerate completion of unconstructed portions of authorized hurricane, storm damage reduction and flood control projects in the greater New Orleans and south Louisiana area at full Federal expense: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a

minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2007: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## GENERAL PROVISION—THIS CHAPTER

SEC. 2301. Up to \$650,000,000 of the appropriations made available under the heading “Flood Control and Coastal Emergencies” in title II, Chapter 3 of Public Law 109-234, for projects in the greater New Orleans metropolitan area that remain available as of the date of enactment of this Act may be used by the Secretary of the Army to improve protection at the Inner Harbor Navigation Canal, as described under the heading “Flood Control and Coastal Emergencies”, in Chapter 3 of Public Law 109-234: *Provided*, That the obligation of these funds may be made without regard to individual amounts specified in title II, Chapter 3 of Public Law 109-234: *Provided further*, That the expenditure of such funds shall not be considered a transfer or reprogramming under any provision of law and shall be carried out in accordance with the terms and conditions specified in an Act making appropriations for energy and water development or any other appropriations Act making additional funds available for energy and water development: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 4

## SMALL BUSINESS ADMINISTRATION

## DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for “Disaster Loans Program Account” for administrative expenses to carry out the disaster loan program, \$25,069,000, to remain available until expended, which may be transferred to and merged with “Small Business Administration, Salaries and Expenses”: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 5

## DEPARTMENT OF HOMELAND SECURITY

## FEDERAL EMERGENCY MANAGEMENT AGENCY

## DISASTER RELIEF

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Disaster Relief”, \$4,310,000,000, to remain available until expended: *Provided*, That \$4,000,000 shall be transferred to “Office of Inspector General”: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. (a) IN GENERAL.—Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance, provided for the States of Louisiana, Mississippi, Florida, Alabama, and Texas in connection with Hurricanes Katrina, Wilma, Dennis, and Rita under sections 403, 406, 407, and 408 of the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, and 5174) shall be 100 percent of the eligible costs under such sections.

(b) APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Federal share provided by subsection (a) shall apply to disaster assistance provided before the date of enactment of this Act.

(2) LIMITATION.—In the case of disaster assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal share provided by subsection (a) shall be limited to assistance provided for projects for which project worksheets have been approved by the Federal Emergency Management Agency before the date of enactment of this Act.

SEC. 2502. (a) COMMUNITY DISASTER LOAN ACT.—

(1) IN GENERAL.—Section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109-88) is amended by striking “*Provided further, That notwithstanding section 417(c)(1) of the Stafford Act, such loans may not be canceled.*”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective on the date of enactment of the Community Disaster Loan Act of 2005 (Public Law 109-88).

(b) EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT.—

(1) IN GENERAL.—Chapter 4 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) is amended under the heading “Federal Emergency Management Agency Disaster Assistance Direct Loan Program Account” by striking “*Provided further, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled.*”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective on the date of enactment of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

(c) The amounts provided in this section are designated as emergency requirements pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SEC. 2503. (a) IN GENERAL.—Section 2401 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) is amended by striking “12 months” and inserting “24 months”.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective on the date of enactment of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

CHAPTER 6

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

SOCIAL SERVICES BLOCK GRANT

Notwithstanding section 2002(c) of the Social Security Act (42 U.S.C. 1397a(c)), funds made available under the heading “Social Services Block Grant” in division B of Public Law 109-148 shall be available for expenditure by the States through the end of fiscal year 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

DEPARTMENT OF EDUCATION

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subpart 1 of part D of title V of the Elementary and Secondary Education Act of 1965, \$30,000,000, to remain available until expended, for use by the States of Louisiana, Mississippi, and Alabama for the following costs: (1) recruiting and compensating teachers, principals, other school administrators, and other educators for positions in reopening public elementary and secondary schools impacted by Hurricane Katrina or Hurricane Rita, including through such mechanisms as paying salary premiums, performance bonuses, housing subsidies and relocation costs; and (2) activities to build the capacity of reopening such public elementary and secondary schools to provide an effective education, including the design, adaptation, and implementation of high-quality formative assessments; the establishment of partnerships with nonprofit entities with a demonstrated track record in recruiting and retaining outstanding teachers and other school leaders; and paid release time for teachers and principals to identify and replicate successful practices from the fastest-improving and highest-performing schools: *Provided*, That the Secretary of Education shall allocate such funds among such States that submit applications; that such allocation shall be based on the number of public elementary and secondary schools in each State that were closed for 30 days or more during the period beginning on August 29, 2005, and ending on December 31, 2005, due to Hurricane Katrina or Hurricane Rita; and that such States shall in turn allocate funds, on a competitive basis, to local education agencies, giving priority to such agencies with the highest percentages of public elementary and secondary schools that are closed as a result of such hurricanes as of the date of enactment of this Act and the highest percentages of public elementary and secondary schools with a student-teacher ratio of at least 25 to 1: *Provided further*, That not later than 60 days after the date of enactment of this Act, the State educational agency, in cooperation with local educational agencies, teachers’ unions, local principals’ organizations, local parents’ organizations, local business organizations, and local charter schools organizations, shall develop a plan for a rating system for performance bonuses and if the State educational agency has failed to reach such an agreement that is satisfactory to all consulting entities by such deadline, the State educational agency shall immediately notify Congress of such failure and reasons for it and shall, not later than 30 days after such notification, establish and implement a rating system that shall be based on strong learning gains for students and growth in student achievement, based on classroom observation and feedback at least 4 times annually, conducted by multiple sources (including principals and master teachers), and evaluated against research-validated rubrics that use planning, instructional, and learning environment standards to measure teaching performance: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

HURRICANE EDUCATION RECOVERY

PROGRAMS TO RESTART SCHOOL OPERATIONS

Funds made available under section 102 of the Hurricane Education Recovery Act (title IV of division B of Public Law 109-148) may be used by the States of Louisiana, Mis-

issippi, Alabama, and Texas, in addition to the uses of funds described in section 102(e) for the following costs: (1) recruiting and compensating teachers, principals, other school administrators, and other educators for positions in reopening public elementary and secondary schools impacted by Hurricane Katrina or Hurricane Rita, including through such mechanisms as paying salary premiums, performance bonuses, housing subsidies and relocation costs; and (2) activities to build the capacity of reopening such public elementary and secondary schools to provide an effective education, including the design, adaptation, and implementation of high-quality formative assessments; the establishment of partnerships with nonprofit entities with a demonstrated track record in recruiting and retaining outstanding teachers and other school leaders; and paid release time for teachers and principals to identify and replicate successful practices from the fastest-improving and highest-performing schools: *Provided*, That not later than 60 days after the date of enactment of this Act, the State educational agency, in cooperation with local educational agencies, teachers’ unions, local principals’ organizations, local parents’ organizations, local business organizations, and local charter schools organizations, shall develop a plan for a rating system for performance bonuses and if the State educational agency has failed to reach such an agreement that is satisfactory to all consulting entities by such deadline, the State educational agency shall immediately notify Congress of such failure and reasons for it and shall, not later than 30 days after such notification, establish and implement a rating system that shall be based on strong learning gains for students and growth in student achievement, based on classroom observation and feedback at least 4 times annually, conducted by multiple sources (including principals and master teachers), and evaluated against research-validated rubrics that use planning, instructional, and learning environment standards to measure teaching performance: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

HIGHER EDUCATION

For an additional amount under part B of title VII of the Higher Education Act of 1965 (“HEA”) for institutions of higher education (as defined in section 102 of that Act) that are located in an area in which a major disaster was declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to hurricanes in the Gulf of Mexico in calendar year 2005, \$30,000,000: *Provided*, That such funds shall be available to the Secretary of Education only for payments to help defray the expenses (which may include lost revenue, reimbursement for expenses already incurred, and construction) incurred by such institutions of higher education that were forced to close for at least 30 consecutive calendar days between August 25, 2005, and January 1, 2006, as a result of damage directly caused by such hurricanes and for payments to enable such institutions to provide grants to students who attend such institutions for academic years beginning on or after July 1, 2006: *Provided further*, That such payments shall be made in accordance with criteria established by the Secretary and made publicly available without regard to section 437 of the General Education Provisions Act, section 553 of title 5, United States Code, or part B of title VII of the HEA: *Provided further*, That the amount provided under this heading is designated as an

emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### GENERAL PROVISION—THIS CHAPTER

SEC. 2601. Section 105(b) of title IV of division B of Public Law 109-148 is amended by adding at the end the following new sentence: "With respect to the program authorized by section 102 of this Act, the waiver authority in subsection (a) of this section shall be available until the end of fiscal year 2008."

#### CHAPTER 7

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### PUBLIC AND INDIAN HOUSING

##### TENANT-BASED RENTAL ASSISTANCE

For an additional amount for the purposes specified under, and subject to the provisions of, this heading in chapter 9 of title I of division B of Public Law 109-148 (119 Stat. 2779), \$80,000,000, to remain available until December 31, 2007: *Provided*, That the third proviso under such heading in Public Law 109-148 shall be applied to amounts made available under this heading and under such heading in Public Law 109-148 by substituting "until December 31, 2007" for "for up to 18 months": *Provided further*, That \$80,000,000 shall be rescinded from unobligated balances remaining from the amounts made available under such heading in Public Law 109-148: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$10,240,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### TITLE III—AGRICULTURAL ASSISTANCE

##### SEC. 3101. CROP DISASTER ASSISTANCE.

(a) ASSISTANCE AVAILABLE.—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to make emergency financial assistance available to producers on a farm that incurred qualifying quantity or quality losses for the 2005 or 2006 crop, or for the 2007 crop before the date of the enactment of this Act, due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed harvest), as determined by the Secretary. However, to be eligible for assistance, the crop subject to the loss must have been harvested before the date of the enactment of this Act or, in the case of prevented planting or other total loss, would have been harvested before the date of the enactment of this Act in the absence of the damaging weather or any related condition.

(b) ELECTION OF CROP YEAR.—If a producer incurred qualifying crop losses in more than one of the 2005, 2006, or 2007 crop years, the producer shall elect to receive assistance under this section for losses incurred in only one of such crop years. The producer may not receive assistance under this section for more than one crop year.

##### (c) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Agriculture

shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for quantity and economic losses as were used in administering that section, except that the payment rate shall be 50 percent of the established price, instead of 65 percent.

(2) LOSS THRESHOLDS FOR QUALITY LOSSES.—In the case of a payment for quality loss for a crop under subsection (a), the loss thresholds for quality loss for the crop shall be determined under subsection (d).

##### (d) QUALITY LOSSES.—

(1) IN GENERAL.—Subject to paragraph (3), the amount of a payment made to producers on a farm for a quality loss for a crop under subsection (a) shall be equal to the amount obtained by multiplying—

(A) 65 percent of the payment quantity determined under paragraph (2); by

(B) 50 percent of the payment rate determined under paragraph (3).

(2) PAYMENT QUANTITY.—For the purpose of paragraph (1)(A), the payment quantity for quality losses for a crop of a commodity on a farm shall equal the lesser of—

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B) the quantity of expected production of the crop affected by a quality loss of the commodity on the farm, using the formula used by the Secretary of Agriculture to determine quantity losses for the crop of the commodity under subsection (a).

(3) PAYMENT RATE.—For the purpose of paragraph (1)(B) and in accordance with paragraphs (5) and (6), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between—

(A) the per unit market value that the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(B) the per unit market value of the units of the crop affected by the quality loss.

(4) ELIGIBILITY.—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under subsection (a), the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(5) MARKETING CONTRACTS.—In the case of any production of a commodity that is sold pursuant to 1 or more marketing contracts (regardless of whether the contract is entered into by the producers on the farm before or after harvest) and for which appropriate documentation exists, the quantity designated in the contracts shall be eligible for quality loss assistance based on the 1 or more prices specified in the contracts.

(6) OTHER PRODUCTION.—For any additional production of a commodity for which a marketing contract does not exist or for which production continues to be owned by the producer, quality losses shall be based on the average local market discounts for reduced quality, as determined by the appropriate State committee of the Farm Service Agency.

(7) QUALITY ADJUSTMENTS AND DISCOUNTS.—The appropriate State committee of the Farm Service Agency shall identify the appropriate quality adjustment and discount factors to be considered in carrying out this subsection, including—

(A) the average local discounts actually applied to a crop; and

(B) the discount schedules applied to loans made by the Farm Service Agency or crop insurance coverage under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(8) ELIGIBLE PRODUCTION.—The Secretary of Agriculture shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of fruits and vegetables, other specialty crops, and field crops.

##### (e) PAYMENT LIMITATIONS.—

(1) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary of Agriculture.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(3) DUPLICATIVE PAYMENTS.—The Secretary of Agriculture shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

(f) ELIGIBILITY REQUIREMENTS AND LIMITATIONS.—The producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses;

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses; or

(3) were not in compliance with highly erodible land conservation and wetland conservation provisions.

##### (g) TIMING.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Agriculture shall make payments to producers on a farm for a crop under this section not later than 60 days after the date the producers on the farm submit to the Secretary a completed application for the payments.

(2) INTEREST.—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

##### (h) DEFINITIONS.—In this section:

(1) INSURABLE COMMODITY.—The term "insurable commodity" means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(2) NONINSURABLE COMMODITY.—The term "noninsurable commodity" means a crop for which the producers on a farm are eligible to

obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

#### SEC. 3102. LIVESTOCK ASSISTANCE.

##### (a) LIVESTOCK COMPENSATION PROGRAM.—

(1) AVAILABILITY OF ASSISTANCE.—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to carry out the livestock compensation program established under subpart B of part 1416 of title 7, Code of Federal Regulations, as announced by the Secretary on February 12, 2007 (72 Fed. Reg. 6443), to provide compensation for livestock losses during calendar years 2005 and 2006, and during calendar year 2007 before the date of the enactment of this Act, due to a disaster, as determined by the Secretary, including wildfire in the State of Texas and other States and blizzards in the States of Colorado, Kansas, Nebraska, New Mexico, and Oklahoma. However, the payment rate for compensation under this subsection shall be 75 percent of the payment rate otherwise applicable under such program.

(2) ELIGIBLE APPLICANTS.—In carrying out the program described in paragraph (1), the Secretary shall provide assistance to any applicant that—

(A) conducts a livestock operation that is located in a disaster county with eligible livestock specified in paragraph (1) of section 1416.102(a) of title 7, Code of Federal Regulations (72 Fed. Reg. 6444), an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)), or other animals designated by the Secretary as livestock for purposes of this subsection; and

(B) meets the requirements of paragraphs (3) and (4) of section 1416.102(a) of title 7, Code of Federal Regulations, and all other eligibility requirements established by the Secretary for the program.

(3) ELECTION OF LOSSES.—If a producer incurred eligible livestock losses in more than one of the 2005, 2006, or 2007 calendar years, the producer shall elect to receive payments under this subsection for losses incurred in only one of such calendar years, and such losses must have been incurred in a county declared or designated as a disaster county in that same calendar year.

(4) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(5) LIMITATION.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this subsection and another Federal program with respect to any loss.

##### (6) DEFINITIONS.—In this subsection:

(A) DISASTER COUNTY.—The term “disaster county” means—

(i) a county included in the geographic area covered by a natural disaster declaration; and

(ii) each county contiguous to a county described in clause (i).

(B) NATURAL DISASTER DECLARATION.—The term “natural disaster declaration” means—

(i) a natural disaster declared by the Secretary during calendar year 2005 or 2006, or calendar year 2007 before the date of the enactment of this Act, under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

(ii) a major disaster or emergency designated by the President during calendar

year 2005 or 2006, or calendar year 2007 before the date of the enactment of this Act, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

##### (b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) AVAILABILITY OF ASSISTANCE.—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to make livestock indemnity payments to producers on farms that have incurred livestock losses during calendar years 2005 and 2006, and during calendar year 2007 before the date of the enactment of this Act, due to a disaster, as determined by the Secretary, including hurricanes, floods, anthrax, wildfires in the State of Texas and other States, and blizzards in the States of Colorado, Kansas, Nebraska, New Mexico, and Oklahoma.

(2) ELECTION OF LOSSES.—If a producer incurred eligible livestock losses in more than one of the 2005, 2006, or 2007 calendar years, the producer shall elect to receive payments under this subsection for losses incurred in only one of such calendar years. The producer may not receive payments under this subsection for more than one calendar year.

(3) PAYMENT RATES.—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 30 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(4) LIVESTOCK DEFINED.—In this subsection, the term “livestock” means an animal that—

(A) is specified in clause (i) of section 1416.203(a)(2) of title 7, Code of Federal Regulations (72 Fed. Reg. 6445), or is designated by the Secretary as livestock for purposes of this subsection; and

(B) meets the requirements of clauses (iii) and (iv) of such section.

(c) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary of Agriculture shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

#### SEC. 3103. SPINACH.

There is hereby appropriated to the Secretary of Agriculture \$25,000,000, to remain available until expended, to make payments to growers and first handlers, as defined by the Secretary, of fresh spinach that were unable to market spinach crops as a result of the Food and Drug Administration Public Health Advisory issued on September 14, 2006. The payment made to a grower or first handler under this section shall not exceed 75 percent of the value of the unmarketed spinach crops.

#### SEC. 3104. EMERGENCY CONSERVATION PROGRAM.

There is hereby appropriated to the Secretary of Agriculture \$20,000,000, to remain available until expended, to provide assistance under the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.) for the cleanup and restoration of farmland damaged by freezing temperatures at any time during the period beginning on January 1, 2007, and ending on the date of the enactment of this Act.

#### SEC. 3105. PAYMENT LIMITATIONS.

(a) REDUCTION IN PAYMENTS TO REFLECT PAYMENTS FOR SAME OR SIMILAR LOSSES.—The amount of any payment for which a producer is eligible under sections 3101 and 3102 shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address

Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148; 119 Stat. 2680); or

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary of Agriculture on January 26, 2006.

(b) ADJUSTED GROSS INCOME LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) shall apply with respect to assistance provided under sections 3101, 3102, 3103, and 3104.

#### SEC. 3106. ADMINISTRATION.

(a) REGULATIONS.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement sections 3101 and 3102.

(b) PROCEDURE.—The promulgation of the implementing regulations and the administration of sections 3101 and 3102 shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary of Agriculture shall use the authority provided under section 808 of title 5, United States Code.

(d) USE OF COMMODITY CREDIT CORPORATION; LIMITATION.—In implementing sections 3101 and 3102, the Secretary of Agriculture may use the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out sections 3101 and 3102 unless funds have been specifically appropriated for such purpose.

#### SEC. 3107. MILK INCOME LOSS CONTRACT PROGRAM.

Notwithstanding subsections (c)(3), (f), and (g) of section 1502 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982), there is hereby appropriated \$283,000,000, to remain available until expended, for payments under such section, using the payment rate specified in subsection (c)(3)(B) of such section, from September 1, 2007, through September 30, 2008. Of such amount, \$252,000,000 shall be available only on or after September 30, 2007, and only so long as an Act to provide for the continuation of agricultural programs for fiscal years after 2007, including such section 1502, is not enacted.

#### SEC. 3108. PEANUT STORAGE COSTS.

Notwithstanding subsection (a)(6) of section 1307 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957), there is hereby appropriated \$74,000,000, to remain available until expended, for the payment of storage, handling, and other associated costs for the 2007 crop of peanuts to ensure proper storage of peanuts for which a loan is made under such section. Of such amount, \$74,000,000 shall be available only on or after September 30, 2007, and only so long as an Act to provide for the continuation of agricultural programs for fiscal years after 2007, including such section 1307, is not enacted.

#### SEC. 3109. LOSSES DUE TO APHIS EMERGENCY ORDER.

There is hereby appropriated to the Secretary of Agriculture \$5,000,000, to remain available until expended, to provide compensation to aquaculture operations and other persons in the United States engaged in the business of breeding, rearing, or transporting live fish to cover all or a portion of the economic losses incurred by the operation or person as a result of the emergency order issued by the Animal and Plant Health



Inspection Service on October 24, 2006, prohibiting the importation of specified species of live fish from Ontario and Quebec, Canada, and the interstate movement of these same species of fish from New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Minnesota, or Wisconsin due to outbreaks of viral hemorrhagic septicemia. The operation or person seeking compensation shall be required to document to the satisfaction of the Secretary the economic losses so incurred as a result of the emergency order.

#### SEC. 3110. EMERGENCY DESIGNATION.

The amounts provided in this title are designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

### TITLE IV—OTHER MATTERS

#### CHAPTER 1

#### DEPARTMENT OF AGRICULTURE

##### FARM SERVICE AGENCY

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$48,000,000.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 4101. Of the funds made available through appropriations to the Food and Drug Administration for fiscal year 2007, not less than \$4,000,000 shall be for the Office of Women’s Health of such Administration.

SEC. 4102. None of the funds made available to the Department of Agriculture for fiscal year 2007 may be used for a risk-based inspection program for poultry or meat unless the Secretary of Agriculture considers such program to be a rule under chapter 5 of title 5, United States Code.

#### CHAPTER 2

#### DEPARTMENT OF COMMERCE

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, National Marine Fisheries Service, \$60,400,000, to remain available until September 30, 2008: *Provided*, That the National Marine Fisheries Service shall cause such amounts to be distributed among fishing communities, Indian tribes, individuals, small businesses, including fishermen, fish processors, and related businesses, and other persons for assistance to mitigate the economic and other social effects caused by the commercial fishery failure as determined by the Secretary on August 10, 2006: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

#### CHAPTER 3

SEC. 4301. (a) Section 102(a)(3)(B) of the Help America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is amended by striking “January 1, 2006” and inserting “January 1, 2008”.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

#### CHAPTER 4

#### DEPARTMENT OF HOMELAND SECURITY

##### GENERAL PROVISIONS

##### (RESCISSION)

SEC. 4401. Of the unobligated balances made available pursuant to section 505 of Public Law 109–90, \$89,800,000 are rescinded.

SEC. 4402. The last two provisos under the heading “Department of Homeland Security, Customs and Border Protection—Salaries

and Expenses” in Public Law 109–90 shall remain in effect through September 30, 2007.

SEC. 4403. (a) IN GENERAL.—Any contract, subcontract, or task order described in subsection (b) shall contain the following:

(1) A requirement for a technical review of all designs, design changes, and engineering change proposals, and a requirement to specifically address all engineering concerns identified in the review before the obligation of further funds may occur.

(2) A requirement that the Coast Guard maintain technical warrant holder authority, or the equivalent, for major assets.

(3) A requirement for independent cost estimates of major changes.

(4) A requirement for measurement of contractor and subcontractor performance based on the status of all work performed.

(b) CONTRACTS, SUBCONTRACTS, AND TASK ORDERS COVERED.—Subsection (a) applies to—

(1) any major procurement contract entered into by the Coast Guard;

(2) any subcontract entered into under such a contract; and

(3) any task order issued pursuant to such a contract or subcontract.

(c) PLAN FOR EXPENDITURE OF DEEPWATER FUNDS.—The funds appropriated in Public Law 109–295 for the Integrated Deepwater Systems program may not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure that—

(1) defines activities, milestones, yearly costs, and lifecycle costs for each procurement of a major asset, including an independent cost estimate for each;

(2) identifies lifecycle staffing and training needs of Coast Guard project managers and of procurement and contract staff;

(3) identifies all Integrated Product Teams that are not chaired by Coast Guard personnel and explains why the Coast Guard does not chair;

(4) identifies competition to be conducted in each procurement;

(5) does not rely on a single industry entity or contract;

(6) contains very limited indefinite delivery/indefinite quantity contracts and explains the need for any indefinite delivery/indefinite quantity contracts;

(7) complies with all applicable acquisition rules, requirements, and guidelines, and incorporates the best systems acquisition management practices of the Federal Government;

(8) complies with the capital planning and investment control requirements established by the Office of Management and Budget, including circular A–11, part 7;

(9) includes a certification by the Chief Procurement Officer of the Department of Homeland Security that the Coast Guard has established sufficient controls and procedures to comply with all contracting requirements and that any apparent conflicts of interest have been sufficiently addressed;

(10) includes a description of the process used to act upon deviations from the contractually specified performance requirements and clearly explains the actions taken on such deviations; and

(11) is reviewed by the Government Accountability Office.

SEC. 4404. (a) IN GENERAL.—With respect to contracts entered into after May 1, 2007, and except as provided in subsection (b), no entity performing lead system integrator functions in the acquisition of a major system by the Department of Homeland Security may have any direct financial interest in the development or construction of any individual system or element of any system of systems.

(b) EXCEPTION.—An entity described in subsection (a) may have a direct financial inter-

est in the development or construction of an individual system or element of a system of systems if—

(1) the Secretary of Homeland Security certifies to the Committees on Appropriations of the Senate and the House of Representatives and the House Committee on Homeland Security that—

(A) the entity was selected by the Department of Homeland Security as a contractor to develop or construct the system or element concerned through the use of competitive procedures; and

(B) the Department took appropriate steps to prevent any organizational conflict of interest in the selection process; or

(2) the entity was selected by a subcontractor to serve as a lower-tier subcontractor, through a process over which the entity exercised no control.

(c) CONSTRUCTION.—Nothing in this section shall be construed to preclude an entity described in subsection (a) from performing work necessary to integrate two or more individual systems or elements of a system of systems with each other.

(d) REGULATIONS UPDATE.—Not later than May 1, 2007, the Secretary of Homeland Security shall update the acquisition regulations of the Department of Homeland Security in order to specify fully in such regulations the matters with respect to lead system integrators set forth in this section. Included in such regulations shall be (1) a precise and comprehensive definition of the term “lead system integrator”, modeled after that used by the Department of Defense, and (2) a specification of various types of contracts and fee structures that are appropriate for use by lead system integrators in the production, fielding, and sustainment of complex systems.

#### CHAPTER 5

#### DEPARTMENT OF THE INTERIOR

##### BUREAU OF LAND MANAGEMENT

##### WILDLAND FIRE MANAGEMENT

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$100,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### UNITED STATES FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

For an additional amount for “Resource Management” for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, \$7,398,000, to remain available until September 30, 2008.

##### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for “Operation of the National Park System” for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, \$525,000, to remain available until September 30, 2008.

## U.S. GEOLOGICAL SURVEY

## SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research” for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, \$5,270,000, to remain available until September 30, 2008.

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## WILDLAND FIRE MANAGEMENT

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$400,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## GENERAL PROVISIONS—THIS CHAPTER

SEC. 4501. There is appropriated not to exceed \$400,000,000 to the Department of Agriculture, to be used for one-time payments to be allocated, to the maximum extent practicable, in the same amounts and in the same manner as were paid to States and others in 2006 under the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note): *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SEC. 4502. Section 20515 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting before the period: “; and of which, not to exceed \$9,019,000 shall be available, in addition to amounts otherwise available, for contract support costs”.

SEC. 4503. Section 20512 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting after the first dollar amount: “; of which, not to exceed \$5,000,000 shall be available, in addition to amounts otherwise available, for contract support costs; and of which, not to exceed \$7,300,000 may be transferred to the ‘Indian Health Facilities’ account.”.

SEC. 4504. Section 20501 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting after \$55,663,000 “of which \$13,000,000 shall be for Save America’s Treasures”.

## CHAPTER 6

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## NATIONAL INSTITUTES OF HEALTH

## NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

## (TRANSFER OF FUNDS)

Of the amount provided by the Continuing Appropriations Resolution, 2007 (division B

of Public Law 109-289, as amended by Public Law 110-5) for “National Institute of Allergy and Infectious Diseases”, \$49,500,000 shall be transferred to “Public Health and Social Services Emergency Fund” to carry out activities relating to advanced research and development as provided by section 319L of the Public Health Service Act.

## ADMINISTRATION FOR CHILDREN AND FAMILIES

## LOW-INCOME HOME ENERGY ASSISTANCE

For an additional amount to make payments under section 2604(a)-(d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(a)-(d)), \$200,000,000: *Provided*, That grantees may obligate the funds made available by this paragraph through September 30, 2008, to meet the home energy assistance needs arising from an emergency as defined in section 2603(1) of such Act (42 U.S.C. 8622(1)) or for energy crisis intervention under section 2604(c) of such Act (42 U.S.C. 8623(c)) except that, in carrying out this paragraph, the Governor of a State (or equivalent authority in the case of grantee other than a State) shall be treated as the Secretary for purposes of such section 2603(1): *Provided further*, That the amount provided by this paragraph is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

For an additional amount to make payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), \$200,000,000: *Provided*, That the amount provided by this paragraph is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## OFFICE OF THE SECRETARY

## PUBLIC HEALTH AND SOCIAL SERVICES

## EMERGENCY FUND

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund” to prepare for and respond to an influenza pandemic, \$969,650,000 to remain available until expended: *Provided*, That \$870,000,000 shall be for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided further*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile: *Provided further*, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic vaccine and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: *Provided further*, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence: *Provided further*, That not less than \$34,650,000 shall be for the Centers for Disease Control and Prevention for laboratory diagnostics and analytical capabilities: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## COVERED COUNTERMEASURE PROCESS FUND

For carrying out section 319F-4 of the Public Health Service Act (42 U.S.C. 247d-6e) to

compensate individuals for injuries caused by H5N1 vaccine, in accordance with the declaration regarding avian influenza viruses issued by the Secretary of Health and Human Services on January 26, 2007, pursuant to section 319F-3(b) of such Act (42 U.S.C. 247d-6d(b)), \$50,000,000 to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## GENERAL PROVISIONS—THIS CHAPTER

## (INCLUDING TRANSFER OF FUNDS)

SEC. 4601. Section 20602 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by striking “of which no less than \$5,000,000 shall be” and inserting the following: “of which \$7,500,000 (together with an additional \$7,000,000 which shall be transferred by the Pension Benefit Guaranty Corporation as an authorized administrative cost) shall be available when needed through September 30, 2008.”.

SEC. 4602. Section 20608(a) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting “and which shall be available for obligation by the States through December 31, 2007,” after “Public Law 103-353.”.

SEC. 4603. Section 20625(b)(1) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by—

(1) striking “\$7,172,994,000” and inserting “\$7,176,431,000”;

(2) amending subparagraph (A) to read as follows: “(A) \$5,454,824,000 shall be for basic grants under section 1124 of the Elementary and Secondary Education Act of 1965 (ESEA), of which up to \$3,437,000 shall be available to the Secretary of Education on October 1, 2006, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census;”;

(3) amending subparagraph (C) to read as follows: “(C) not to exceed \$2,352,000 may be available for section 1608 of the ESEA and for a clearinghouse on comprehensive school reform under part D of title V of the ESEA.”.

SEC. 4604. The provision in the first proviso under the heading “Rehabilitation Services and Disability Research” in the Department of Education Appropriations Act, 2006, relating to alternative financing programs under section 4(b)(2)(D) of the Assistive Technology Act of 1998 shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007.

## CHAPTER 7

## LEGISLATIVE BRANCH

## PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Gloria W. Norwood, widow of Charles W. Norwood, Jr., late a Representative from the State of Georgia, \$165,200.

## ARCHITECT OF THE CAPITOL

## CAPITOL POWER PLANT

For an additional amount for “Capitol Power Plant”, \$50,000,000, for asbestos abatement and other improvements, to remain available until September 30, 2011: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

## CHAPTER 8

## DEPARTMENT OF STATE

## INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER  
COMMISSION, UNITED STATES AND MEXICO  
CONSTRUCTION

For an additional amount for “International Boundary and Water Commission, United States and Mexico, Construction”, \$10,000,000, to remain available until expended, as authorized.

## GENERAL PROVISIONS—THIS CHAPTER

SEC. 4801. (a) MIDDLE EAST FOUNDATION.—Section 534(k) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102) is amended, in the second proviso, by inserting after “subsection (b) of that section” the following: “and the requirement that a majority of the members of the board of directors be United States citizens provided in subsection (d)(3)(B) of that section”.

SEC. 4802. Notwithstanding any provision of title I of division B of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Laws 109-369, 109-383, and 110-5), the dollar amount limitation of the first proviso under the heading, “Administration of Foreign Affairs, Diplomatic and Consular Programs”, in title IV of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109-108; 119 Stat. 2319) shall not apply to funds appropriated under such heading for fiscal year 2007.

SEC. 4803. Amounts appropriated for fiscal year 2007 for “Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring” may be used to assist Liberia in retiring its debt arrearages to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

## CHAPTER 9

SEC. 4901. Funds provided for the “National Transportation Safety Board, Salaries and Expenses” in section 21031 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) include amounts necessary to make lease payments due in fiscal year 2007 on an obligation incurred in 2001 under a capital lease.

SEC. 4902. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by adding after the second proviso: “: *Provided further*, That paragraph (2) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$149,300,000, but additional section 8 tenant protection rental assistance costs may be funded in 2007 by using unobligated balances, notwithstanding the purposes for which such amounts were appropriated, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ‘Annual Contributions for Assisted Housing’, the heading ‘Housing Certificate Fund’, and the heading ‘Project-Based Rental Assistance’ for fiscal year 2006 and prior fiscal years: *Provided further*, That paragraph (3) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$47,500,000: *Provided further*, That paragraph (4) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$5,900,000: *Provided further*, That paragraph (5) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$1,281,100,000, of which \$1,251,100,000 shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were

eligible to receive in calendar year 2006, and of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to \$20,000,000 to be for fees associated with section 8 tenant protection rental assistance”.

SEC. 4903. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended (prior to amendment by the preceding section of this chapter) by adding after the third proviso: “: *Provided further*, That notwithstanding the previous proviso, except for applying the 2007 Annual Adjustment Factor and making any other specified adjustments, public housing agencies in the following categories shall receive renewal funding for calendar year 2007 equal to the amounts, prior to prorations, such public housing agencies were eligible to receive in calendar year 2006, prorated at the calendar year 2006 rate: (1) public housing agencies that would receive less funding under the previous proviso than they would receive under this proviso and that are located in any area declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 1521 et seq.) with respect to hurricanes that occurred in calendar years 2004 and 2005; (2) public housing agencies participating in the Moving to Work Demonstration; (3) public housing agencies that, during calendar year 2007 but prior to June 1, 2007, are in receivership, or the Department of Housing and Urban Development has declared to be in breach of an Annual Contributions Contract; or (4) public housing agencies that overspent their allocation for calendar year 2006 and available housing assistance payments balance from calendar year 2005”.

SEC. 4904. Chapter 10 of title II of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting after section 21041 the following new section: “SEC. 21041A. The provisions under the heading ‘Department of Housing and Urban Development, Office of Federal Housing Enterprise Oversight, Salaries and Expenses’ in title III of division A of Public Law 109-115 shall be applied to funds appropriated by this division by substituting ‘\$67,568,000’ for ‘\$60,000,000’.”

SEC. 4905. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended (prior to amendment by the preceding sections of this chapter) by striking the sixth proviso.

SEC. 4906. Section 232(b) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106-377) is amended to read as follows:

“(b) APPLICABILITY.—In the case of any dwelling unit that, upon the date of the enactment of this Act, is assisted under a housing assistance payment contract under section 8(o)(13) as in effect before such enactment, or under section 8(d)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(2)) as in effect before the enactment of the Quality Housing and Work Responsibility Act of 1998 (title V of Public Law 105-276), assistance may be renewed or extended under such section 8(o)(13), as amended by subsection (a), provided that the initial contract term and rent of such renewed or extended assistance shall be determined pursuant to subparagraphs (F) and (H), and subparagraphs (C) and (D) of such section shall not apply to such extensions or renewals.”.

## GENERAL PROVISION—THIS ACT

SEC. 4910. No part of any appropriation contained in this Act shall remain available

for obligation beyond the current fiscal year unless expressly so provided herein.

## TITLE V—CONTRACTING REFORM

## SEC. 5001. MINIMIZING SOLE-SOURCE CONTRACTS.

(a) PLANS REQUIRED.—Subject to subsection (c), the head of each executive agency covered by title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) and the head of each agency covered by chapter 137 of title 10, United States Code, shall develop and implement a plan to minimize the use of contracts entered into using procedures other than competitive procedures by the agency concerned. The plan shall contain measurable goals and shall be completed and submitted to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, the Committees on Appropriations of the House of Representatives and the Senate, with a copy provided to the Comptroller General, not later than 1 year after the date of the enactment of this Act.

(b) COMPTROLLER GENERAL REVIEW.—The Comptroller General shall review the plans provided under subsection (a) and submit a report to Congress on the plans not later than 18 months after the date of the enactment of this Act.

(c) REQUIREMENT LIMITED TO CERTAIN AGENCIES.—The requirement of subsection (a) shall apply only to those agencies that awarded contracts in a total amount of at least \$1,000,000,000 in the fiscal year preceding the fiscal year in which the report is submitted.

## SEC. 5002. MINIMIZING COST-REIMBURSEMENT TYPE CONTRACTS.

(a) PLANS REQUIRED.—Subject to subsection (c), the head of each executive agency covered by title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) and the head of each agency covered by chapter 137 of title 10, United States Code, shall develop and implement a plan to minimize the use of cost-reimbursement type contracts by the agency concerned. The plan shall contain measurable goals and shall be completed and submitted to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, the Committees on Appropriations of the House of Representatives and the Senate, with a copy provided to the Comptroller General, not later than 1 year after the date of the enactment of this Act.

(b) COMPTROLLER GENERAL REVIEW.—The Comptroller General shall review the plans provided under subsection (a) and submit a report to Congress on the plans not later than 18 months after the date of the enactment of this Act.

(c) REQUIREMENT LIMITED TO CERTAIN AGENCIES.—The requirement of subsection (a) shall apply only to those agencies that awarded contracts in a total amount of at least \$1,000,000,000 in the fiscal year preceding the fiscal year in which the report is submitted.

## SEC. 5003. PUBLIC DISCLOSURE OF JUSTIFICATION AND APPROVAL DOCUMENTS FOR NONCOMPETITIVE CONTRACTS.

(a) CIVILIAN AGENCY CONTRACTS.—Section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) is amended by adding at the end the following new subsection:

“(j)(1) In the case of a procurement permitted by subsection (c), the head of an executive agency shall make publicly available,

within 14 days after the award of the contract, the documents containing the justification and approval required by subsection (f)(1) with respect to the procurement.

“(2) The documents shall be made available on the website of the agency and through the Federal Procurement Data System.

“(3) This subsection does not require the public availability of information that is exempt from public disclosure under section 552(b) of title 5, United States Code.”.

(b) **DEFENSE AGENCY CONTRACTS.**—Section 2304 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(1)(1) In the case of a procurement permitted by subsection (c), the head of an agency shall make publicly available, within 14 days after the award of the contract, the documents containing the justification and approval required by subsection (f)(1) with respect to the procurement.

“(2) The documents shall be made available on the website of the agency and through the Federal Procurement Data System.

“(3) This subsection does not require the public availability of information that is exempt from public disclosure under section 552(b) of title 5, United States Code.”.

#### **SEC. 5004. DISCLOSURE OF GOVERNMENT CONTRACTOR OVERCHARGES.**

(a) **QUARTERLY REPORT TO CONGRESS.**—

(1) The head of each Federal agency or department shall submit to the chairman and ranking member of each committee specified in paragraph (2) on a quarterly basis a report that includes the following:

(A) A list of audits or other reports issued during the applicable quarter that describe contractor costs in excess of \$1,000,000 that have been identified as unjustified, unsupported, questioned, or unreasonable under any contract, task or delivery order, or subcontract.

(B) The specific amounts of costs identified as unjustified, unsupported, questioned, or unreasonable and the percentage of their total value of the contract, task or delivery order, or subcontract.

(C) A list of audits or other reports issued during the applicable quarter that identify significant or substantial deficiencies in the performance of any contractor or in any business system of any contractor under any contract, task or delivery order, or subcontract.

(2) The report described in paragraph (1) shall be submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committees on Appropriations of the House of Representatives and the Senate, and other committees of jurisdiction.

(3) Paragraph (1) shall not apply to an agency or department with respect to a calendar quarter if no audits or other reports described in paragraph (1) were issued during that quarter.

(b) **SUBMISSION OF INDIVIDUAL AUDITS.**—The head of each Federal agency or department shall provide, within 14 days after a request in writing by the chairman or ranking member of any of the committees described in subsection (a)(2), a full and unredacted copy of any audit or other report described in subsection (a)(1).

#### **TITLE VI—ELIMINATION OF SCHIP SHORTFALL**

##### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **CENTERS FOR MEDICARE AND MEDICAID SERVICES STATE CHILDREN'S HEALTH INSURANCE FUND**

For an additional amount to provide additional allotments to remaining shortfall States under section 2104(h)(4) of the Social Security Act, as inserted by section 6001, such sums as may be necessary, but not to exceed \$750,000,000 for fiscal year 2007, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

##### **SEC. 6001. ELIMINATION OF REMAINDER OF SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2007.**

(a) **ELIMINATION OF REMAINDER OF FUNDING SHORTFALLS, TIERED MATCH, AND OTHER LIMITATION ON EXPENDITURES.**—Section 2104(h) of the Social Security Act (42 U.S.C. 1397dd(h)), as added by section 201(a) of the National Institutes of Health Reform Act of 2006 (Public Law 109-482), is amended—

(1) in the heading for paragraph (2), by striking “REMAINDER OF REDUCTION” and inserting “PART”; and

(2) by striking paragraph (4) and inserting the following:

“(4) **ADDITIONAL AMOUNTS TO ELIMINATE REMAINDER OF FISCAL YEAR 2007 FUNDING SHORTFALLS.**—

“(A) **IN GENERAL.**—From the amounts provided in advance in appropriations Acts, the Secretary shall allot to each remaining shortfall State described in subparagraph (B) such amount as the Secretary determines will eliminate the estimated shortfall described in such subparagraph for the State for fiscal year 2007.

“(B) **REMAINING SHORTFALL STATE DESCRIBED.**—For purposes of subparagraph (A), a remaining shortfall State is a State with a State child health plan approved under this title for which the Secretary estimates, on the basis of the most recent data available to the Secretary as of the date of the enactment of this paragraph, that the projected Federal expenditures under such plan for the State for fiscal year 2007 will exceed the sum of—

“(i) the amount of the State's allotments for each of fiscal years 2005 and 2006 that will not be expended by the end of fiscal year 2006;

“(ii) the amount of the State's allotment for fiscal year 2007; and

“(iii) the amounts, if any, that are to be redistributed to the State during fiscal year 2007 in accordance with paragraphs (1) and (2).”.

(b) **CONFORMING AMENDMENTS.**—Section 2104(h) of such Act (42 U.S.C. 1397dd(h)) (as so added), is amended—

(1) in paragraph (1)(B), by striking “subject to paragraph (4)(B) and”; and

(2) in paragraph (2)(B), by striking “subject to paragraph (4)(B) and”; and

(3) in paragraph (5)(A), by striking “and (3)” and inserting “(3), and (4)”; and

(4) in paragraph (6), by striking “and (3)” and inserting “(3), and (4)”.

#### **TITLE VII—MINIMUM WAGE INCREASE AND SMALL BUSINESS TAX RELIEF**

##### **CHAPTER 1**

##### **SEC. 7101. SHORT TITLE.**

This chapter may be cited as the “Fair Minimum Wage Act of 2007”.

##### **SEC. 7102. MINIMUM WAGE.**

(a) **IN GENERAL.**—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

“(1) except as otherwise provided in this section, not less than—

“(A) \$5.85 an hour, beginning on the 60th day after the date of enactment of the Fair Minimum Wage Act of 2007;

“(B) \$6.55 an hour, beginning 12 months after that 60th day; and

“(C) \$7.25 an hour, beginning 24 months after that 60th day;”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect 60 days after the date of enactment of this Act.

##### **SEC. 7103. APPLICABILITY OF MINIMUM WAGE TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

(a) **IN GENERAL.**—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall apply to the Commonwealth of the Northern Mariana Islands.

(b) **TRANSITION.**—Notwithstanding subsection (a), the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

(1) \$3.55 an hour, beginning on the 60th day after the date of enactment of this Act; and

(2) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 6 months after the date of enactment of this Act and every 6 months thereafter until the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under this subsection is equal to the minimum wage set forth in such section.

##### **SEC. 7104. APPLICABILITY OF MINIMUM WAGE TO AMERICAN SAMOA.**

(a) **APPLICABILITY.**—

(1) **IN GENERAL.**—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall apply to American Samoa.

(2) **CONFORMING AMENDMENT.**—Section 6(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)) is amended by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(b) **TRANSITION.**—

(1) **IN GENERAL.**—Notwithstanding subsection (a), the minimum wage applicable to American Samoa under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

(A) \$3.55 an hour, beginning on the 60th day after the date of enactment of this Act; and

(B) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 6 months after the date of enactment of this Act and every 6 months thereafter until the minimum wage applicable to American Samoa under this paragraph is equal to the minimum wage set forth in such section.

(2) **SPECIAL RULE.**—Notwithstanding paragraph (1), if an employee is employed in an industry in American Samoa that, on the date of enactment of this Act, is required to pay a minimum wage rate under section 697 of title 29, Code of Federal Regulations, that is higher than the minimum wage rate required under paragraph (1)(A), the minimum wage applicable to such employee shall be—

(A) the minimum wage rate required for such an industry under such section on the date of enactment of this Act; and

(B) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 6 months after the date of enactment of this Act and every 6 months

thereafter until the minimum wage applicable to American Samoa under this subsection is equal to the minimum wage set forth in such section.

#### CHAPTER 2

#### SEC. 7201. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This chapter may be cited as the “Small Business Tax Relief Act of 2007”.

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this chapter an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents of this chapter is as follows:

- Sec. 7201. Short title; amendment of 1986 Code; table of contents.
- Sec. 7202. Extension and modification of work opportunity tax credit.
- Sec. 7203. Extension and increase of expensing for small business.
- Sec. 7204. Determination of credit for certain taxes paid with respect to employee cash tips.
- Sec. 7205. Waiver of individual and corporate alternative minimum tax limits on work opportunity credit and credit for taxes paid with respect to employee cash tips.
- Sec. 7206. Family business tax simplification.
- Sec. 7207. Denial of lowest capital gains rate for certain dependents.
- Sec. 7208. Suspension of certain penalties and interest.
- Sec. 7209. Time for payment of corporate estimated taxes.

#### SEC. 7202. EXTENSION AND MODIFICATION OF WORK OPPORTUNITY TAX CREDIT.

(a) **EXTENSION.**—Section 51(c)(4)(B) (relating to termination) is amended by striking “2007” and inserting “2008”.

(b) **INCREASE IN MAXIMUM AGE FOR DESIGNATED COMMUNITY RESIDENTS.**—

(1) **IN GENERAL.**—Paragraph (5) of section 51(d) is amended to read as follows:

“(5) **DESIGNATED COMMUNITY RESIDENTS.**—

“(A) **IN GENERAL.**—The term ‘designated community resident’ means any individual who is certified by the designated local agency—

“(i) as having attained age 18 but not age 40 on the hiring date, and

“(ii) as having his principal place of abode within an empowerment zone, enterprise community, or renewal community.

“(B) **INDIVIDUAL MUST CONTINUE TO RESIDE IN ZONE OR COMMUNITY.**—In the case of a designated community resident, the term ‘qualified wages’ shall not include wages paid or incurred for services performed while the individual’s principal place of abode is outside an empowerment zone, enterprise community, or renewal community.”.

(2) **CONFORMING AMENDMENT.**—Subparagraph (D) of section 51(d)(1) is amended to read as follows:

“(D) a designated community resident.”.

(c) **CLARIFICATION OF TREATMENT OF INDIVIDUALS UNDER INDIVIDUAL WORK PLANS.**—Subparagraph (B) of section 51(d)(6) (relating to vocational rehabilitation referral) is amended by striking “or” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “; or”, and by adding at the end the following new clause:

“(iii) an individual work plan developed and implemented by an employment network pursuant to subsection (g) of section 1148 of the Social Security Act with respect to which the requirements of such subsection are met.”.

(d) **TREATMENT OF DISABLED VETERANS UNDER THE WORK OPPORTUNITY TAX CREDIT.**—

(1) **DISABLED VETERANS TREATED AS MEMBERS OF TARGETED GROUP.**—

(A) **IN GENERAL.**—Subparagraph (A) of section 51(d)(3) (relating to qualified veteran) is amended by striking “agency as being a member of a family” and all that follows and inserting “agency as—

“(i) being a member of a family receiving assistance under a food stamp program under the Food Stamp Act of 1977 for at least a 3-month period ending during the 12-month period ending on the hiring date, or

“(ii) entitled to compensation for a service-connected disability, and—

“(I) having a hiring date which is not more than 1 year after having been discharged or released from active duty in the Armed Forces of the United States, or

“(II) having aggregate periods of unemployment during the 1-year period ending on the hiring date which equal or exceed 6 months.”.

(B) **DEFINITIONS.**—Paragraph (3) of section 51(d) is amended by adding at the end the following new subparagraph:

“(C) **OTHER DEFINITIONS.**—For purposes of subparagraph (A), the terms ‘compensation’ and ‘service-connected’ have the meanings given such terms under section 101 of title 38, United States Code.”.

(2) **INCREASE IN AMOUNT OF WAGES TAKEN INTO ACCOUNT FOR DISABLED VETERANS.**—Paragraph (3) of section 51(b) is amended—

(A) by inserting “(\$12,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(ii))” before the period at the end, and

(B) by striking “ONLY FIRST \$6,000 OF” in the heading and inserting “LIMITATION ON”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

#### SEC. 7203. EXTENSION AND INCREASE OF EXPENSING FOR SMALL BUSINESS.

(a) **EXTENSION.**—Subsections (b)(1), (b)(2), (b)(5), (c)(2), and (d)(1)(A)(ii) of section 179 (relating to election to expense certain depreciable business assets) are each amended by striking “2010” and inserting “2011”.

(b) **INCREASE IN LIMITATIONS.**—Subsection (b) of section 179 is amended—

(1) by striking “\$100,000 in the case of taxable years beginning after 2002” in paragraph (1) and inserting “\$125,000 in the case of taxable years beginning after 2006”, and

(2) by striking “\$400,000 in the case of taxable years beginning after 2002” in paragraph (2) and inserting “\$500,000 in the case of taxable years beginning after 2006”.

(c) **INFLATION ADJUSTMENT.**—Subparagraph (A) of section 179(b)(5) is amended—

(1) by striking “2003” and inserting “2007”,

(2) by striking “\$100,000 and \$400,000” and inserting “\$125,000 and \$500,000”, and

(3) by striking “2002” in clause (ii) and inserting “2006”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

#### SEC. 7204. DETERMINATION OF CREDIT FOR CERTAIN TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

(a) **IN GENERAL.**—Subparagraph (B) of section 45B(b)(1) is amended by inserting “as in effect on January 1, 2007, and” before “determined without regard to”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to tips received for services performed after December 31, 2006.

#### SEC. 7205. WAIVER OF INDIVIDUAL AND CORPORATE ALTERNATIVE MINIMUM TAX LIMITS ON WORK OPPORTUNITY CREDIT AND CREDIT FOR TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

(a) **ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.**—Subparagraph (B) of section 38(c)(4) is amended by striking “and” at the end of clause (i), by inserting a comma at the end of clause (ii), and by adding at the end the following new clauses:

“(iii) the credit determined under section 45B, and

“(iv) the credit determined under section 51.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to credits determined under sections 45B and 51 of the Internal Revenue Code of 1986 in taxable years beginning after December 31, 2006, and to carrybacks of such credits.

#### SEC. 7206. FAMILY BUSINESS TAX SIMPLIFICATION.

(a) **IN GENERAL.**—Section 761 (defining terms for purposes of partnerships) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) **QUALIFIED JOINT VENTURE.**—

“(1) **IN GENERAL.**—In the case of a qualified joint venture conducted by a husband and wife who file a joint return for the taxable year, for purposes of this title—

“(A) such joint venture shall not be treated as a partnership,

“(B) all items of income, gain, loss, deduction, and credit shall be divided between the spouses in accordance with their respective interests in the venture, and

“(C) each spouse shall take into account such spouse’s respective share of such items as if they were attributable to a trade or business conducted by such spouse as a sole proprietor.

“(2) **QUALIFIED JOINT VENTURE.**—For purposes of paragraph (1), the term ‘qualified joint venture’ means any joint venture involving the conduct of a trade or business if—

“(A) the only members of such joint venture are a husband and wife,

“(B) both spouses materially participate (within the meaning of section 469(h) without regard to paragraph (5) thereof) in such trade or business, and

“(C) both spouses elect the application of this subsection.”.

(b) **NET EARNINGS FROM SELF-EMPLOYMENT.**—

(1) Subsection (a) of section 1402 (defining net earnings from self-employment) is amended by striking “, and” at the end of paragraph (15) and inserting a semicolon, by striking the period at the end of paragraph (16) and inserting “; and”, and by inserting after paragraph (16) the following new paragraph:

“(17) notwithstanding the preceding provisions of this subsection, each spouse’s share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) in determining net earnings from self-employment of such spouse.”.

(2) Subsection (a) of section 211 of the Social Security Act (defining net earnings from self-employment) is amended by striking “and” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “; and”, and by inserting after paragraph (15) the following new paragraph:

“(16) Notwithstanding the preceding provisions of this subsection, each spouse’s share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) of the Internal Revenue Code of 1986 in determining net earnings from self-employment of such spouse.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

**SEC. 7207. DENIAL OF LOWEST CAPITAL GAINS RATE FOR CERTAIN DEPENDENTS.**

(a) **IN GENERAL.**—Subsection (h) of section 1 is amended by adding at the end the following new paragraph:

“(12) **CERTAIN INDIVIDUALS NOT ELIGIBLE FOR LOWEST RATE.**—

“(A) **IN GENERAL.**—In the case of an individual described in subparagraph (B)—

“(i) the amount determined under paragraph (1)(A)(ii)(II) shall not be less than the amount of taxable income which would (without regard to this subsection) be taxed at a rate below 15 percent, and

“(ii) the sum of the amounts determined under subparagraphs (B) and (C) of paragraph (1) shall be an amount equal to the rate of tax specified in paragraph (1)(C) multiplied by so much of the adjusted net capital gain (or, if less, taxable income) as exceeds the excess (if any) of—

“(I) the amount of taxable income which would (without regard to this subsection) be taxed at a rate below 15 percent, over

“(II) the taxable income reduced by the adjusted net capital gain.

“(B) **INDIVIDUALS TO WHOM PARAGRAPH APPLIES.**—

“(i) **IN GENERAL.**—For purposes of this paragraph, an individual is described in this subparagraph if—

“(I) such individual meets the age requirements of section 152(c)(3) (determined without regard to subparagraph (B) thereof), and

“(II) such individual's earned income (as defined in section 911(d)(2)) for the taxable year does not exceed one-half of such individual's support (within the meaning of section 152) for such taxable year.

“(ii) **SPECIAL RULES FOR JOINT RETURNS.**—In the case of a joint return—

“(I) the taxpayer and the taxpayer's spouse shall be treated as a single individual for purposes of applying subclause (II) of clause (i), and

“(II) the taxpayer shall be treated as an individual described in this subparagraph only if the taxpayer and the taxpayer's spouse are described in clause (i) (determined after application of subclause (I)).”

(b) **ALTERNATIVE MINIMUM TAX.**—Section 55 is amended by adding at the end the following new subsection:

“(f) **CERTAIN INDIVIDUALS NOT ELIGIBLE FOR LOWEST RATE.**—In the case of an individual described in section 1(h)(12)(B), no amount shall be determined under subsection (b)(3)(B).”

(c) **COORDINATION WITH SUNSET OF PROVISIONS OF THE JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003.**—Subparagraph (A) of section 1(h)(12), as added by this section, is amended by striking “and” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, and”, and by adding at the end the following new clause:

“(iii) no amount of qualified 5-year gain shall be taken into account under subparagraph (A) of paragraph (2) (as in effect after the application of section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003).”

(d) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2006.

(2) **SUNSET OF JGTRRA.**—The amendment made by subsection (c) shall apply to taxable years beginning after the date specified in section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

**SEC. 7208. SUSPENSION OF CERTAIN PENALTIES AND INTEREST.**

(a) **IN GENERAL.**—Paragraphs (1)(A) and (3)(A) of section 6404(g) are each amended by striking “18-month period” and inserting “22-month period”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to notices provided by the Secretary of the Treasury, or his delegate, after the date which is 6 months after the date of the enactment of this Act.

**SEC. 7209. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.**

Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking “106.25 percent” and inserting “112.75 percent”.

This Act may be cited as the “U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act, 2007”.

The **SPEAKER** pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 2 hours.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I yield myself 12 minutes.

Mr. Speaker, why are we here? We are here because 4 years ago the President plunged us into a preemptive war in Iraq, a country that had not attacked the United States, and we took that action on the basis of bad information, manipulated intelligence, with no visible plans for governing after the war was over.

□ 1630

Mr. Speaker, that attack diverted us from the hunt for bin Laden, the person who did attack us.

The war has now gone on for 4 years and, as a result, we have seen chaos and carnage. We have seen over 3,000 American service men and women die, many times more wounded and maimed. We have seen our influence decimated throughout the Middle East. We have seen our reputation as the democratic hope of the world tarnished by stories about torture and rendition.

I voted against that war. There were 215 Republicans who voted for it and 6 that voted against it. There were 81 Democrats who voted for it and 126 Democrats who voted against it. We had 132 votes, in total, against going to war. And ever since that time, we have been trying to get to 218 votes so we can turn this country and this war around.

Over the last 4 years, this war has been fought with virtually no sense of shared sacrifice. Military families have done double and triple duty, while the rest of America has had to accept the sacrifice of a tax cut. That is about all that has been asked of most Americans.

We have spent a huge amount of our national treasure, and now the President is asking for another almost \$100 billion for this war and asking for an additional \$3.5 billion for his own domestic priorities.

This bill is our response. It says to the President: “Okay, you can have that money, but only under certain

terms and conditions.” And we try to do three things: number one, to redirect a greater effort to the right war in Afghanistan, rather than the wrong war in Iraq. Secondly, we try to protect our troops to the maximum extent possible and correct the neglect that they have suffered as they have returned from the battlefield. And, thirdly, we are trying to send a message to Iraq politicians that they need to change direction; that we will no longer tolerate an open-ended, interminable babysitting job; that they must get together and begin to resolve their own differences.

This bill sets a timetable for repositioning our troops out of Iraq. The exact timetable will be determined by the performance of the Iraqis and whether or not they meet important political and military benchmarks.

And this bill establishes a target for finishing our redeployment in any circumstance. It recognizes that our troops won the war, but it also recognizes that the President's plan calls upon troops to do something that they do not have the power to do, namely, to convince Iraqi factions to reach reasonable compromises on their own turf.

It sets reasonable conditions for moving our troops into a different posture. It holds Iraqis accountable to standards that the President himself has laid out. And it puts us on a new direction with respect to the war in Iraq.

And it does some other things, too. It completes action on a number of left-over pieces of business that the previous Congress left to this new incoming Congress.

The President himself asked for \$3.4 billion to deal with the needs of FEMA. We are also finishing action on the BRAC action which requires \$3.1 billion in additional funding. We are finishing action on the need to improve family military housing to the tune of \$3.4 billion. We are finishing action on rebuilding the lives and providing other assistance to the Katrina victims after the most devastating natural disaster in the history of our country.

We are finishing the action on the agriculture disaster problem that Congress wrestled with for well over a year in the previous Congress without coming to resolution. And we are providing the final \$1 billion in funds to combat a potential pandemic flu, funds which the President himself requested in an emergency appropriation in the year 2005.

And we are also finishing action on the action begun last year by the Congress in trying to deal with the fact that 14 States are going to run out of child health money; and we need, therefore, to provide \$750 million to see to it that low-income families and children in low-income families are not pushed off those State health care rolls. This is a request that has come in from Republican and Democratic Governors alike.

And we have also provided some additional funding, above what the President asked for, items which are not



last year's business, but which we think are important in terms of this year's business.

We are increasing funding for veterans health and defense health by \$3.4 billion. We are, on the homeland security front, increasing funding substantially. The President, since days after 9/11, has been resisting virtually every congressional effort to add funding for homeland security, for border security, for cargo security and the like.

We are continuing the effort to provide significantly more money than the President has asked for. If anybody wants to argue with that, I would suggest they take it up with the 9/11 Commission. I would suggest they take it up with the Hart-Rudman Commission. I would suggest they take it up with the 9/11 families. Everybody but Anne Coulter, I think, would be responsive to what those families think.

And then we are also providing \$1.2 billion in additional funding for our war in Afghanistan. Mr. Speaker, I sat at CIA headquarters and watched, right after 9/11, as our predator aircraft were searching Afghanistan for bin Laden. And I know what the people at that agency were saying when they expressed their frustration that the President was diverting a huge share of our resources in the hunt for bin Laden to prepare for the unilateral attack on Iraq.

What this bill is trying to do is to correct that by, again, refocusing additional attention on the war against Afghanistan. And I make absolutely no apology for the funds that we have in here.

Now, some will say this is not a perfect instrument. They will differ with the time line that we have for the repositioning of troops, and they will differ with the benchmarks. But what I would say to them is that what is important in this document today is not the exact wording. What is important is not the exact timetable. What is important is not the exact enumeration of benchmarks. What is important is that, for the first time, this Congress will be exercising its constitutional responsibilities to provide real oversight on the executive branch of government, and we will be trying to set this country on a new direction.

Someone in this House said last week that we are similar in our position to a board of directors for a corporation. He said the President is the CEO. The President's Cabinet represents his management team, and we are the board of directors. And when a board of directors of a corporation sees that the management of the corporation is leading it down a disastrous path, it has a fiduciary responsibility to its stockholders to step in and correct the problem. That is what we are trying to do in this legislation. In this case, we have a fiduciary responsibility and a representational responsibility to the taxpayers and to our constituents, and we are trying to meet that responsibility today.

Now, there are some who have criticized us for doing so, some in newspapers and some on this floor. Very frankly, I am getting a bit tired of those who were consistently wrong from the beginning on the issue of Iraq. I am getting tired of them lecturing those of us who were consistently right from the beginning in our opposition to this war.

And when people ask me why we don't have a better solution, I tell them of the old story about Eddie Stanky, who used to play second base for the New York Giants many years ago. And one day, Leo Durocher, the manager, was hitting ground balls to the infield, and Stanky dropped two in a row. And so Durocher grabbed a glove and said, "Here, kid, I'm going to show you how it's done." And he went out to second base, and the very first ball Durocher dropped. And he turned to Stanky, and said, "Kid, you got second base so screwed up, nobody can play it."

The fact is, if you substitute George Bush for Eddie Stanky and Iraq for second base, you have got the picture of what the problem is today.

Now, this Congress cannot run foreign policy, but it has an obligation to try to influence the policy and influence the conduct of that policy when we see it headed down the wrong path. Mr. MURTHA has tried to lead the way in seeing to it that we face up to those responsibilities, and this legislation will give us an opportunity to do that.

I would hope it would be supported on a bipartisan basis.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker and my colleagues, I rise today to express my opposition to this emergency supplemental. My colleagues know that I have the highest level of respect for my chairman, Mr. OBEY. Together we worked as partners in the 109th Congress, passing appropriations bills through the committee and through the House. Indeed, the Appropriations Committee is at its best when each of us works together across party lines and rises above purely partisan politics.

During the last Congress I was privileged to serve as chairman of this great committee, and Mr. OBEY was our distinguished ranking member. Today, our roles are reversed, and Mr. OBEY is now our chairman.

There is no question that if my friend from Wisconsin were permitted to write this bill on his own, this would be a much better product. Instead, the House is being asked to consider a spending bill that reflects the priorities of Speaker PELOSI and a deeply divided Democratic Caucus. It attempts to bridge these widening divisions over the war in Iraq by delivering billions of dollars in unrelated and unauthorized spending under an emergency designation.

This legislation ought to focus on our troops. It ought to focus on providing those in harm's way with the resources they need to complete their mission successfully. It ought to respect, not micromanage, our combatant commanders in whom we place the ultimate responsibility of prosecuting military actions.

Instead, this legislation ties the hands of our Commander in Chief during a time of war, places military decisions in the hands of politicians, and attempts to buy votes for its passage on the left and on the right by literally promising something to everyone.

If the majority's goal is to end the war or withdraw our troops, then that should be addressed in a separate piece of legislation. The majority cannot have it both ways, pretending, on the one hand, to support our troops, while on the other undercutting their ability to prosecute their mission.

Men and women of good conscience can disagree about the war in Iraq. But on one thing we must all agree, our men and women in uniform must continue to receive our unqualified support and the resources they need to complete their mission successfully.

My colleagues, consider carefully the consequences of our actions here today. Passage of this measure in its present form will signal to insurgents and terrorists that the United States doesn't have the political will to continue supporting this fledgling Iraqi democracy.

□ 1645

Al Qaeda and other enemies of freedom will simply lay in wait until our troops are withdrawn. And with the collapse of this fragile democracy, our efforts, and the sacrifices of our troops, will have been for nothing.

The fight in Iraq is also critical to the future of Israel. A failure in Iraq will further destabilize the region, posing a direct threat to Israel. We must not let that occur to our friend and ally.

There should be no carrot big enough to force Members into choosing between their principled support for our troops in the field and funding for the many unrelated and parochial items sprinkled throughout this bill.

Republican Members in the House are simply not going to abandon our principles, and troops in the field, for the promise of pork back in our districts. To their credit, many Democrats also continue to express grave reservations about this approach and about this legislation.

Last year Congress sent the President a clean supplemental bill for our troops. This Congress, and our country, would be better served by producing a clean bill free of extraneous spending and unrelated legislative provisions.

There is no question that the President will veto this bill. In the meantime our troops will face the uncertainty resulting from the majority's mixed signals and lack of a clear commitment.

I am also deeply concerned that the Democrat leadership has brought this emergency supplemental to the House floor under a closed rule without opportunity for Members on both sides of the aisle to offer amendments.

During my tenure as chairman, the House considered six emergency supplemental appropriations bills. Of these six bills, the two largest bills, H.R. 1268, was \$81.2 billion; the other was a \$91.8 billion supplemental. Those two bills primarily focused on the global war on terror. In both instances I worked closely with my leadership and the Rules Committee in seeking rules that permitted open debate, including amendments, on the House floor. And in both instances, these supplemental bills were considered under an open rule. The remaining four bills were noncontroversial and bipartisan in nature and were considered by unanimous consent on the Suspension Calendar.

I assumed that Chairman OBEY would continue in the longstanding tradition and practice of the committee to advocate open rules on all appropriations bills. Members on both sides of the aisle benefit by a process that supports a fair, honest, open, and transparent debate on the House floor. I was disappointed that Mr. OBEY's first bill as chairman, the fiscal year 2007 continuing resolution, was considered under a closed rule, with only 1 hour of debate and no opportunity for amendments.

Consideration of this supplemental under a closed rule is unprecedented and leaves the minority little choice but to walk away from the tradition of comity that has marked our longstanding work on this committee.

By denying Members, both Democrats and Republicans, their right to offer amendments to this legislation, I can assure you that all bets are off on getting our committee work done this year. It simply will not happen. There will be no unanimous consent agreements on the fiscal year 2008 bills. I spoke personally with Mr. OBEY about this and asked him to carry that message directly to the Speaker.

This legislation is simply too important to have it rushed through the House with no debate and no opportunity for the body to consider amendments. Consideration of this legislation under a closed rule signals to the House, and to the public, that the Speaker has imposed martial law on the people's House.

Lastly, I would be remiss not to highlight my reservations about the budgetary aspects of this bill that proposes more than \$22 billion in emergency spending items that are completely unrelated to the global war on terror or legitimate emergencies in the Gulf Coast region.

I ask my colleagues what does a \$25 million bailout for spinach producers, \$60 million for the salmon fishing industry, or \$5 million for fish breeding have to do with the global war on terror?

This legislation also includes authorization language to increase the minimum wage. Again, I ask my friends why can't the committees of jurisdiction in the House and the Senate meet in open conference to resolve the differences between these bills? What place has this provision in a wartime supplemental?

In short, much of what is included in this bill is completely unrelated to the global war on terror and has no place in the bill. Sadly, many items are being designated as emergencies for no other reason than to make more room for additional spending on the part of the Democrats under the fiscal 2008 caps.

I ask my colleagues on both sides of the aisle to consider thoughtfully the precedent set by this legislation. Weigh in your conscience the effects of undermining the authority of the President, and future Presidents, and putting at further risk our men and women in uniform.

Our Congress, and our country, would be better served by sending the President a clean supplemental free of extraneous spending and unrelated legislative provisions.

While I respect Chairman OBEY, I cannot support this legislation as it is presently written. I strongly urge a "no" vote.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 12 minutes to the distinguished chairman of the Defense Appropriations Subcommittee, Mr. MURTHA.

Mr. MURTHA. Mr. Speaker, let me explain what is in this bill for the Members.

We have \$4 billion over the amount requested by the President. The President requested a total of \$12.1 billion for military personnel pay and benefits. The committee recommends increasing the funds for those programs by \$1.4 billion. The committee adds \$1.4 billion to cover the full cost of housing allowance for military members in fiscal year 2007; \$2.3 billion to cover the full cost of fielding an additional 36,000 Army troops.

If everybody here remembers, we added 30,000 troops in the supplemental, which the White House did not ask for, argued about, and which the Defense Department did not want. And yet now we are short of troops, and they are trying to blame the Congress for being short of troops.

We also added money for 9,000 additional marines. The committee recommends \$52.5 billion for military operations, \$2.2 billion over the President's request.

In addition to fully funding the request for military operations, the committee proposes an additional \$2.5 billion to address training and equipping shortfalls in forces not deployed. We will set up a Reserve Readiness fund.

The committee recommends adding funds for the war in Afghanistan, \$1 billion. That is where the original war

started, and that is what you vote against if you vote against this bill.

\$5.9 billion for the Afghanistan Security Forces fund, \$3.8 billion for the Iraq Security Forces fund, and a total of \$2.4 billion is recommended for the joint IED task force.

The recommendations propose an increase of \$17 million for DOD's Family Advocacy program. In other words, all of us hear, when we go talk with the families, the problems that they have. We add \$17 million for that particular fund.

We have three significant reductions. We reduce some of the buys of hardware which we think ought to be in the base bill.

The committee bill recommends a total of \$24.8 billion for equipment purchases, a slight decrease to the President's request of \$86 million. The committees proposed an allocation of \$1.4 billion to purchase what they call MRAP vehicles, that is, the vehicles with the V shape, which we need so badly. And that is what you are voting against if you vote against this bill: \$311 million above the request of the White House.

For Army procurement accounts the committee approves a total of \$15 billion: \$994 million for tactical radios, \$2.2 billion for tactical trucks, \$867 million for up-armored Humvees, \$636 million for Bradley fighting vehicle upgrades. And that is what you are voting against if you vote against this bill.

The committee bill includes \$192 million not requested for three additional F/A-18s. We take care of the SEABEES, something they have talked about that have been decimated by this war, and we put equipment in for the SEABEES.

The committee is recommending reductions to several high-profile programs requested by the President. We deny funding for two Joint Strike Fighter airplanes because they ought to be in the base bill, and we will talk about that depending on what they authorize.

The President requested a total of \$1.4 billion for research and development. The committee recommends a total of \$1 billion.

Working capital funds: the committee bill provides a total of \$1.3 billion for working capital.

Now let me talk about defense health programs. We just saw what we went through with Walter Reed. BILL YOUNG, who was chairman of the committee, and I went out to Walter Reed all the time. I had no idea, as most Members didn't, about what was going on at Walter Reed. And it really gets to me that every time we went out there, we asked them if you needed any help and they always told us everything is all right. We put more money in any way because we knew there would be some problems come about because of the fact that they were under BRAC. The committee decided unanimously to eliminate the closing of Walter Reed, especially during the time of war. We put \$1.7 billion above the budget request.

The additional funding is for \$450 million for post-traumatic stress. And that is not near enough, folks. That is not near enough. We figure there are going to be 65,000 military people who come back that are going to have post-traumatic stress. And that is what you are voting against if you vote against this bill.

We put \$450 million in for traumatic brain injury care and research; \$730 million to cover the funding shortfall created by Congress' having disapproved the Department's proposal to increase the health insurance premiums. And I am for that, but we didn't fund it. But we fund it in this bill, and that is what you vote against if you vote against this bill.

We put \$62 million in for amputee care. Let me tell you something about amputee care. I went out to the amputee center in Brooks. Private industry put up a place in 18 months; \$58 million they raised to put an amputee center up. We have been working on an amputee center at Walter Reed. It took us 3 years and it is still not built. JERRY LEWIS, BILL YOUNG, and myself, and it is still not done yet.

We are putting in \$12 million for caregivers. The nurses called. They said, We have got a real problem here. We see these wounded. We see the people coming home all the time. It affects us mentally. It affects us emotionally. It affects us psychologically. We need help. So we put \$12 million in; \$6 million for Landstuhl, where they get the worst casualties; \$2 million for Walter Reed; \$2 million for Brooks; and \$2 million for the hospital in California.

We put in \$14.8 million for burn care. I want to tell you something, Members. You can go to all the hospitals. When you go to the burn care centers, you see the results of this war. We go to the hospitals. All of us go to the hospitals quite often. And let me tell you the burn centers are the worst when you go.

Now, we also took out 5 percent on contracting. Now, why did we do that? We did that because contractors are falling all over themselves and we asked the GAO and we asked the Inspector General of Iraq, How many contractors do you have? They couldn't tell us. They said, Help us find out how many contractors we have.

So we asked the Under Secretary of Defense. He couldn't tell us. He said, I will let you know in a week.

He still hasn't told us. So we took 5 percent out. They will tell us now how many contractors they have.

And we fenced 10 percent. So that is \$800 million for the 5 percent and then \$1.6 billion for the contractors to come out. So that is \$2.1 billion we have taken out for the contractors.

We put in for CERP, which is a program in which there is \$456 million provided under operations and maintenance for the commanders.

No permanent bases we said over and over again. We put in no torture, which

has caused us so much problem when they didn't have the people trained when they were in Abu Ghraib.

Contracting oversight. We have a death gratuity amendment. Military attorneys, we put some money in for military attorneys.

Meeting readiness guidelines: let me tell you what we do to meet readiness guidelines. When you talk to these families, they need a year at home before they are redeployed. Is there anybody that thinks we should send these folks back before they have a year at home? Is there anybody that thinks we should extend them when they have 13 months in country? Is there anybody who thinks we should send troops into combat who aren't trained and ready? Is there anybody here?

□ 1700

We put benchmarks in for the Iraqi Government, as the chairman of the committee explained, because we need to give them the incentive. We need them to have some benchmarks so they understand that they have to get this done.

Every time something happens, and this is a problem we have, every time something happens, we step in. They started out, they said, with 80 percent of the people in the Iraqi units deployed in Iraq. Now it is 50 percent. Where are they? They are on leave. They deserted. They are not there. So who makes up the difference? Our troops are the ones making up the difference. We have to force the Iraqis to make up the difference.

Why are we even thinking about forcing the military to break their own guidelines because of this surge? Because of the fact they can't sustain the deployment. So the administration has decided, we are going to have to send people back with less than a year at home.

We are going to send people back that aren't trained and ready? That is unacceptable. That is unacceptable to every single Member of Congress. We have an obligation to the taxpayer under the Constitution to take care of defense.

We have an obligation to have oversight and auditing and accountability. We have had 14 hearings so far. We will have at least 40 more hearings before we have the base bill. I am going to put you on notice right now, the supplemental, the 2008 supplemental, is not going to come up with the base bill. The 2008 supplemental is going to be held, because we are going to see if there is going to be progress in this country before we bring up the 2008 supplemental. We are going to see if what they say is true. We are going to find out if this administration is giving us the facts.

We have said to them under the Moran amendment, you have to tell us how much oil production there is. Oil production is below prewar level. Electricity production is below prewar level. Unemployment is 60 percent.

Incidents have doubled since I spoke out here a year-and-a-half ago. Doubled. There are now 1,200 a week. And when I say "incidents," I am talking about 140,000 troops deployed to Iraq, individually. I heard Elizabeth Edwards the other day talk about breast cancer, before she knew it had come back, and she said to me, there is 40,000 people that have breast cancer every year, but it is one at a time.

What we are talking about are troops, 140,000 troops, one at a time; 140,000 troops with families; 140,000 troops that have wives and husbands and mothers and fathers that have to suffer during these deployments.

When you go to the hospital, you see figures. Don't think when you say you see 2,500 people who have been killed, 3,000 have been killed or 25,000 have been wounded. It is individuals that have been wounded, individuals that have been killed, and those families are suffering.

We have to put some benchmarks so the Iraqis, they have civil war, we have to put benchmarks in this bill so the Iraqis start to do it themselves, and the Americans aren't forced to make up the difference, but they do it themselves.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), our leader on the Homeland Security Subcommittee.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the distinguished ranking member for yielding time.

The supplemental before us today is a case study of what happens when one branch of the government tries to do the job assigned to another. It is hard to say what this will be known for, unconstitutional legislation that would allow Congress to micromanage a war, or a crude political compromise designed to win votes.

One thing though is perfectly clear: The bill is a sham. Don't be fooled by the rhetoric you will hear today. The managers on the other side of the aisle will try to convince you that we are addressing pressing needs, providing critical resources for our troops in the field and other so-called disasters here at home. But make no mistake, the bill will only hamstring our troops, provide fodder for our enemies abroad, cause a disastrous and precipitous cut and run, and indescribable damage to America's reputation in the vital Mideast and worldwide.

It also breaks the bank here at home by providing funds for pork-laden Democrat wish-lists. What does dollars for a spinach producer have to do with providing help for our troops in Iraq? What does money to a salmon farmer have to do with providing support for our troops in Iraq? What about aquaculture money? What has that got to do with troops in Iraq?

And for those Members who have surrendered their better judgment for pork for their districts, the majority adds \$2.5 billion in so-called emergency

homeland security items to sweeten the pot.

Don't get me wrong, many of the majority's homeland security adds are worthy and important items, such as nuclear and explosive detection systems and additional aircraft for the northern border, things I have supported in the past and continue to support, but they are in no way a 2007 emergency. They can be handled regularly in the 2008 bills. In every instance these bills could and should be addressed through the 2008 process.

By including them as 2007 emergencies, the majority is simply trying to look strong on security and buy down requirements to free up funds in fiscal 2008 for additional spending. While I support homeland security spending, I support it in a fiscally responsible way.

Let me turn to the real issue under debate today now. To the defense provisions that will cause the precipitous withdrawal of our forces from Iraq and take from a President his constitutional powers of Commander in Chief, there is a very good reason why our Founding Fathers gave the executive branch the responsibility to conduct war.

The House of Representatives is made up of 435 individuals; lawyers, doctors, teachers, farmers, some with military experience, some without. It is not made up of 435 military commanders who possess the ability to manage a war. We have military professionals to do that. Why are we attempting to insert our military judgment, which can cause the death or injury of our troops, when we are neither trained nor skilled to do so? Leave the management of the war to the trained professionals who know what they are doing.

If your aim is to end the war, and it is, this is the absolute wrong way to do it. The right way, bring forth a resolution or a bill to reverse the original authorization for the war. But as long as you have authorized the war, please don't tie the hands of our great soldiers and their commanders behind their backs in carrying out your authorization, still on the books, to fight this war against terror.

Mr. Speaker, this committee has lost its way on this one. It is a shameful turn of events. Handcuffing the authorities of the President, undermining our troops in harm's way and exploiting worthy government programs for political gain is beyond the pale. Our troops and our Nation deserve better. They deserve our undying support.

I urge a "no" vote.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. SERRANO), the chairman of the Financial Services Subcommittee of the Committee on Appropriations.

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, I stand before you today in support of this bill,

probably the most difficult decision I have made in my 33 year political career. But I do it because I want this war to end. I did not support this war. I did not vote for it. I still believe that we were lied to, that we were given at the minimum bad information, but I believe we were lied to, the link to al Qaeda, the weapons of mass destruction. We have been over that, but it can't be forgotten. We were not told the truth.

But here we are now, and most of us want the war to end now. What does "now" mean? There is no real now. Even if there was a vote "called out now," it would mean for 6, 7, 9, 10 months the military would, in a properly and orderly way, get the troops out. But there would be no end date, so "now" could be extended.

This bill, however, does speak to "now," because it sets a timetable so that "now" becomes the desire to end the war and "now" becomes the mechanism in process to end the war.

In the next few minutes, the e-mails will start to come in from some friends on my left, who think they are on my left, who tell me that I sold out. Well, you know something? Not to end the war is to sell out. To get dramatic and emotional about something without the reality of ending the war might be to sell out.

I will take this vote tomorrow fully understanding that my vote was a vote to end the war; fully understanding that I didn't pull the rug from under the troops, but I told them that I didn't want them there any longer; fully understanding that when there was a vote that spoke about immediate withdrawal, we all remember how the Republicans took Mr. MURTHA's desire to end the war and turned it into a resolution that said get out immediately. Interestingly enough, a lot of people who want to end the war now didn't vote for that. I was one of only three that voted to get out immediately.

So I have been there, and I have done that. This is the best vehicle for ending the war. That is why I support it. That is why we have to vote for it.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. WOLF), a member of our committee.

Mr. WOLF. Mr. Speaker, there are legitimate and important emergency funding needs for the troops and our Federal civilian corps on the ground in Iraq and elsewhere. The President requested \$93.4 billion in emergency supplemental appropriations to continue the fight against terrorism, and that is what we should be doing.

Unfortunately, this bill offers, I think, a way of not doing that in an appropriate way. It is bloated with \$124.3 billion in spending, \$21 billion over what was requested. It is true we have provided funding for emergency supplementals before, but it would be hard pressed to convince the American people that \$25 million for spinach producers, which may be important to do,

but in the regular order; \$74 million for peanut storage may be appropriate, but in regular order. It should not be done here. At the same time it does that, it restricts the civilian spending for the provincial reconstruction teams, which helps us do some of the civilian things that we should be doing in Iraq.

The larger issue, however, is this legislation before us has become a vehicle, unfortunately, for polarization on the fight to stabilize Iraq. I have been there three times. I believe tying the hands of our military commanders to adapt to the changing circumstances can only hurt our mission and our troops.

I don't believe it is a good policy to criticize the administration's strategy as failing, while at the same time cutting the very funding necessary for the administration and the troops to succeed, and then putting conditions on releasing the funding provided. They just don't all fit together.

We have to look no further than the report of the bipartisan Iraq Study Group to find "the way forward, a new approach for Iraq." Just last months when we debated the Iraq war resolution, 106 Members from both sides of the aisle mentioned the importance of the Iraq Study Group and how they supported it.

Last night Mr. SHAYS asked the Rules Committee to make in order an amendment that I was cosponsoring to do exactly that, and it was turned down, and just at the very time the diplomatic engagement that most of us wanted to see take place begins to take place. The meeting 2 weeks ago had us engaging with the Syrians and the Iranians. We accepted Mr. MORAN's amendment in the full committee, which was good, to really put the Congress on record in support of that diplomatic effort. But Mr. SHAYS was turned down again, as I was turned down several weeks ago.

The Iraq Study Group's Cochairmen Baker and Hamilton said in the group report, "The U.S. foreign policy is doomed to failure, as is any course in action in Iraq, if not supported by a broad, sustained consensus."

This bill is not a broad, sustained consensus. The recommendation of the Iraq Study Group could have brought us, and still may very well bring us, to a consensus that unites the Congress and the nation on Iraq. That is the policy both the Congress and the administration should embrace. This bill does not do it, and I urge a "no" vote on it.

There are some legitimate and important emergency funding needs for our troops and our Federal civilian corps on the ground in Iraq and elsewhere. The President requested some \$93.4 billion in emergency supplemental appropriations to continue the fight against terrorism. That's what this bill should be addressing.

Unfortunately, this bill fails to offer a reasonable way forward in supporting our troops, and I cannot vote for it.

This is a bloated \$124.3 billion spending bill—over \$21 billion than what was requested.

It's true we've provided funding for emergencies in other supplementals, for example hurricane relief and planning for a flu pandemic. But I think we would be hard pressed to convince the people we represent that \$25 million for spinach producers or \$74 million for peanut storage costs qualify as emergency spending needed today. The debate on that kind of spending should be part of the fiscal year 2008 appropriations process where it belongs.

The larger issue, however, is that this legislation before us has become the vehicle for polarization on the fight to stabilize Iraq. It does not offer an alternative. Instead, it would ultimately mandate a retreat.

I have been to Iraq three times, and my concern for our troops has never been stronger. If I thought that this bill was in their best interests, I would support it.

Tying the hands of our military commanders to adapt to changing circumstances can only hurt our mission and our troops.

Within the State-Foreign Operations portion, it cuts funding necessary to support projects such as the Provincial Reconstruction Teams. PRTs are joint civilian-military teams living in the provinces among the Iraqi people. They work side-by-side with the Iraqis to identify development and governance programs and offer our best bet for improving stability and governance.

Cutting funding for these teams is cutting them off at their knees before they get a chance to stand up. These funds are essential for improving safety and stability—the very safety and stability which will enable our troops to withdraw more quickly.

I just don't believe it is good policy to criticize the administration's strategy as failing while at the same time cutting the very funding necessary for it to succeed and then putting conditions on releasing funds provided.

We have to look no further than the report of the bipartisan Iraq Study Group to find “the way forward—a new approach” for Iraq. They worked for more than 8 months, supported by expert working groups and senior military advisers in the areas of economy and reconstruction, military and security, political development, and strategic environment.

The study group's report released last December 6 was hailed as an important opportunity to chart a new course for Iraq. That is what we should be considering today.

Just last month when we debated the Iraq war resolution, 106 Members from both sides of the aisle mentioned the importance of the Iraq Study Group's recommendations as the way forward in Iraq.

Last night, Mr. SHAYS asked the Rules Committee to make in order an amendment, offered in partnership with me, to support the findings of the Iraq Study Group. By doing so, we believed the House would be working to meet our responsibility as political leaders to build bipartisan consensus on the issues of war and peace.

But his request was turned down. That was the second time in a month that the Rules Committee has not allowed an amendment on the Iraq Study Group's report. Instead, we have before us a political statement that pulls us farther apart.

The ramifications of this polarization reach far beyond Washington; all the way to Baghdad and the Iraqi provinces. I want to read from the letter Secretary Baker and Congress-

man Hamilton wrote as the prelude to the Iraq Study Group's recommendations:

Many Americans are dissatisfied, not just with the situation in Iraq but with the state of our political debate regarding Iraq. Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric, and a policy that is adequately funded and sustainable. The President and Congress must work together. Our leaders must be candid and forthright with the American people in order to win their support.

And it goes on to say:

... U.S. foreign policy is doomed to failure—as is any course of action in Iraq—if it is not supported by a broad, sustained consensus. The aim of our report is to move our country toward such a consensus.

The bill before us does not move the country toward a consensus. The country must come back together. We must be united. That is the only way we will be successful.

The recommendations of this distinguished group could have brought us to consensus and united the Congress and the Nation on Iraq. That is the policy both the Congress and the President should embrace.

I urge my colleagues to vote against this bill.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. MORAN).

□ 1715

Mr. MORAN of Virginia. I thank the chairman and thank the chairman of the Defense Appropriations Subcommittee who has put this together.

My colleagues, a short while ago when President Bush was asked how long will this war last, he said: “We will be in Iraq as long as the Iraqi people want us there.”

Well, this bill says that we will be in Iraq as long as the American people want us there. And the American people realize this is a war that is not worthy of the sacrifice of those men and women in uniform who are bearing the whole cost of this war.

This bill is about that young son who was told by his daddy one day that he has to leave him to go off and fight for our country. And day after day he asks his mommy: When is daddy coming back? And finally one day his mommy, with tear-filled eyes, has to say: Daddy is not coming back.

Well, we have to ask ourselves: Is this war worthy of that sacrifice? This bill says it is not because there has never been a strategy for success. This bill will bring our troops home as soon and as safely as possible.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH of New York. Mr. Speaker, I thank the ranking member, Mr. LEWIS, for his hard work in providing this response, this very, I think, respectful response.

I would submit to you that any sacrifice any American has made in Iraq is a worthy, worthy sacrifice.

Mr. Speaker, here we go again. Thus far in the 110th Congress, the House has

considered two pieces of appropriations legislation. Thus far, we have twice done so under rules that stifle debate and amendment.

First, we operated under a closed rule on the 2007 continuing resolution, limited debate, no amendments, a bill that spend hundreds of billions of dollars. Now we are doing the same thing with a war supplemental. Let me be clear about what is happening here tonight.

The majority does not want a vote to remove the egregious and unconstitutional provisions restricting the Commander in Chief's authority over our Armed Forces. They do not want to allow us the opportunity to strike the unprecedented deadline for withdrawing our troops. Never before has a Congress in our history written into law a date for the withdrawal of American troops in a war.

They won't allow us that opportunity because Republicans and Democrats would vote bipartisanship to strike that deadline. They have proposed a rule that will prohibit Members from offering amendments that could modify the bill in such a way that the President could sign it.

Let's be clear: by proposing a closed rule, the Democratic leadership signals it wants this bill vetoed. In short, the majority would rather play politics than find a solution to the problem. And who will lose this game of political chicken? The troops who stand in harm's way as we talk; the troops, who are relying on this Congress to provide the necessary funds before the end of May so they can complete their mission successfully and as safely as possible.

This bill should be rejected out of hand and the majority should immediately bring back a clean supplemental so we can ensure that our troops will have the resources they need. Let's stop the posturing and pass a clean bill. That's the bottom line.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I want to voice my support for the supplemental, not because I agree with everything that is in it, but because I agree with one thing that is in it, and that is a binding deadline to end the war in Iraq and redeploy our troops to where they are truly needed, and that is to fight the real war on terror where the terrorists started to bomb our country and planned to bomb us on 9/11 and that is in the mountains of Afghanistan.

Why are we fighting a civil war in Iraq? Why are we fighting a civil war in Iraq when it is in Afghanistan where the war should be fought? Why are our Republican friends talking about protecting our national security in Iraq when in fact it is al Qaeda in Afghanistan that is posing the greatest threat to our national security?

It is this supplemental that talks about fighting the real national security threat to our Nation, and that is

why I support this important supplemental, because it truly supports our troops and it supports our veterans as well.

Mr. Speaker, I want to voice my support for this supplemental, not because I agree with everything in it, but because I agree with the most important thing in it: a binding deadline to end the war in Iraq.

Mr. Speaker, we need to redeploy our troops from Iraq first and foremost because it is in our national security interest.

As someone who voted for the original resolution, I am particularly pained by the hardships and suffering our troops and their families endure. I want them to come home.

But I also know that the men and women in uniform, and the families behind them, are willing to make the sacrifices they do if that is what it takes to make America more secure.

The truth is policing a civil war in Iraq does not bring us closer to defeating the global network of extremists who wish to harm us.

But redeployment from Iraq will enhance our security by allowing us to properly address other challenges around the world, most importantly the fight in Afghanistan and Pakistan against a resurgent al Qaeda and Taliban, the enemies who actually did engineer 9/11.

The moral authority we've lost in the eyes of the world compromises our ability to lead multinational efforts against national security threats ranging from terrorism and nuclear proliferation to global warming and drug trafficking.

The sooner we begin redeployment, the sooner we begin unraveling the tremendous damage that this war and its mismanagement have wrought on our national security.

We need to restore America's leadership. We need to strengthen America's security. We need to pass this supplemental and begin the redeployment from Iraq.

I believe in a strong U.S. engagement around the world, including using military force when necessary. I also believe, as did Presidents Roosevelt, Truman, Kennedy, and

Reagan, that America's greatest strength comes from its values and its ability to lead.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a member of the committee.

Mr. KNOLLENBERG. Mr. Speaker, I want to thank the ranking member profusely for granting me this time.

It is with regret that I rise today in opposition to the defense supplemental bill. As a member of the House Appropriations Committee, I wanted to be able to support a bill that would provide our soldiers with the funding they need to carry out their mission in Iraq. But I must oppose it because it presupposes our defeat in Iraq by tying the hands of the military leaders.

Further, it adds nonemergency spending, lots of spending, and sets new precedents. And of particular concern to me, fails to fix some major problems that were created in the continuing resolution with respect to rental assistance for our neediest families.

The continuing resolution changed the formula for distributing \$16 billion in rental assistance under the section 8 program. The result is less funding, more uncertainty, a "use it or lose it" mentality, and a loss of any incentive to plan over the long run. It rewards excessive spending and punishes cost-effectiveness and will set public housing authorities against one another by creating new winners and losers every year.

The impacts on the program are staggering. Over 1,220 PHAs in 30 States will lose \$460 million permanently. That means forever. I have here a list that I include for the RECORD of all the PHAs that are going to lose funds and how much they are going to lose. It also includes the name of the Member

of this body who represents each of those PHAs.

So the supplemental bill before us today tries to fix some of the problems in the CR, but it fails to do that, and it distracts from the true purpose of this bill which is to support our troops in harm's way.

Mr. Speaker, I will be the first to admit that mistakes have been made in the execution of the war. No one is disputing that. Even Secretary of State Rice has admitted there are mistakes. But there is no sense in looking backward. Not now. We should give the administration's new policy a chance to work before presupposing its failure and our ultimate defeat in Iraq.

Let me be clear: I want our troops to come home as soon as possible, but I want them to return in victory, not defeat. It is time for the Iraqis to assume responsibility for the security of their nation. I am hopeful that the administration's new policy will bring to an end the sectarian violence in Baghdad and provide an opening for the Iraqi Government to step up to the plate.

It was a bipartisan vote of Congress that authorized this war 4 years ago. It is going to take bipartisan cooperation to bring about its successful conclusion. This bill, unfortunately, is anything but bipartisan. It is nothing more than a crafty way for the Democrat majority to set a hard-and-fast deadline for troop withdrawals before we have even given the new Iraq strategy a chance to succeed.

Let's give our troops a chance to stabilize Iraq and come home in victory. Let's pass a clean supplemental which gives the troops the resources they need to protect themselves. I strongly urge a "no" vote.



Member	Housing Authority	Net Loss	Member	Housing Authority	Net Loss
Ackerman, Gary	HA OF NORTH HEMPSTEAD	-\$104,235	Arcuri, Michael	VILLAGE OF WATERVILLE	-\$8,711
Aderholt, Robert	HA BOAZ	-\$90,740	Bachmann, Michele	STEARNS COUNTY HRA	-\$37,325
Aderholt, Robert	HA CULLMAN	-\$7,882	Bachus, Spencer	HA COLUMBIANA	-\$11,887
Aderholt, Robert	HA HAMILTON	-\$11,179	Bachus, Spencer	HA LEEDS	-\$120
Akin, Todd	ST CHARLES HOUSING AUTHORITY	-\$1,397	Bachus, Spencer	HA WALKER COUNTY	-\$3,177
Alexander, Rodney	ALEXANDRIA HSG AUTHORITY	-\$534,731	Baird, Brian	HOUSING AUTHORITY OF THE CITY OF KALAMA	-\$19,519
Alexander, Rodney	CALDWELL PARISH HOUSING AUTHORITY	-\$8,561	Baird, Brian	HOUSING AUTHORITY OF THURSTON COUNTY	-\$219,444
Alexander, Rodney	CONCORDIA PARISH POLICE JURY	-\$11,336	Baird, Brian	KELSO HOUSING AUTHORITY	-\$22,566
Alexander, Rodney	DELHI HOUSING AUTHORITY	-\$14,894	Baker, Richard	BATON ROUGE (CITY OF) COMMUNITY	-\$287,588
Alexander, Rodney	EAST CARROLL PH. POLICE JURY, SEC. 8	-\$4,302	Baker, Richard	PORT ALLEN (CITY OF)	-\$49,541
Alexander, Rodney	FRANKLIN PARISH POLICE JURY	-\$5,524	Baker, Richard	WEST BATON ROUGE PARISH COUNCIL, SEC. 8	-\$36,866
Alexander, Rodney	IBERVILLE PARISH COUNCIL	-\$7,219	Baldwin, Tammy	MADISON CDA	-\$418,911
Alexander, Rodney	JACKSON PARISH POLICE JURY	-\$8,961	Baldwin, Tammy	MIDDLETON HOUSING AUTHORITY	-\$27,747
Alexander, Rodney	LINCOLN PARISH POLICE JURY	-\$29,327	Barrett, Gresham	HA AIKEN	-\$369,645
Alexander, Rodney	NEW ROADS (TOWN OF)	-\$10,693	Barrett, Gresham	HA ANDERSON	-\$45,323
Alexander, Rodney	OVERLIN (TOWN OF)	-\$39,514	Barrett, Gresham	HA SOUTH CAROLINA REG NO 1	-\$15,249
Alexander, Rodney	RUSTON (CITY) SEC. 8 HSG. AGENCY	-\$105,526	Barrow, John	HA SAVANNAH	-\$4,132,472
Alexander, Rodney	TALLULAH (CITY OF) PHA	-\$10,059	Bartlett, Roscoe	CITY OF WESTMINSTER	-\$57,438
Alexander, Rodney	UNION PARISH POLICE JURY	-\$9,225	Bartlett, Roscoe	HAGERSTOWN HOUSING AUTHORITY	-\$334,558
Alexander, Rodney	WEST CARROLL PH. POLICE JURY HSG			HOUSING AUTHORITY OF THE CITY OF	
Alexander, Rodney	ASSIST. OFFICE	-\$660	Bartlett, Roscoe	FREDERICK	-\$394,422
Alexander, Rodney	WEST MONROE HSG AUTH	-\$304,933	Barton, Joe	ARLINGTON HOUSING AUTHORITY	-\$2,007,236
Alexander, Rodney	WINN PARISH POLICE JURY	-\$53,837	Barton, Joe	CORSICANA HOUSING AUTHORITY	-\$315,663
Allen, Thomas	AUGUSTA HSG AUTHORITY	-\$344,312	Bean, Melissa	MCHEERY COUNTY HOUSING AUTHORITY	-\$63,280
Altire, Jason	WESTBROOK HOUSING AUTHORITY	-\$6,015	Becerra, Xavier	CITY OF LOS ANGELES HSG AUTH	-\$22,635,747
Andrew, Robert	HOUSING AUTH CO OF LAWRENCE	-\$98,809	Berkley, Shelley	CITY OF LAS VEGAS HSG AUTH	-\$4,163,561
Andrews, Robert	CAMDEN HOUSING AUTHORITY	-\$701,623	Berkley, Shelley	NORTH LAS VEGAS HOUSING AUTHORITY	-\$1,369,839
Andrews, Robert	CLEMENTON HOUSING AUTHORITY	-\$20,151	Berry, Marion	PHILLIPS COUNTY PUBLIC HOUSING AGENCY	-\$41,404
Andrews, Robert	GLASSBORO HOUSING AUTHORITY	-\$22,788	Berry, Marion	BLYTHEVILLE HOUSING AUTHORITY	-\$78,404
Andrews, Robert	GLOUCESTER HOUSING AUTHORITY	-\$208,716	Berry, Marion	BRINKLEY HOUSING AUTHORITY	-\$114,558
Arcuri, Michael	DOLGEVILLE HOUSING AUTHORITY	-\$384	Berry, Marion	CABOT PUBLIC HOUSING AGENCY	-\$12,781
Arcuri, Michael	HA OF CORTLAND	-\$121,945	Berry, Marion	EARLE SECTION 8 HOUSING AUTHORITY	-\$23,754
Arcuri, Michael	HA OF GENEVA	-\$82,862	Berry, Marion	LEE COUNTY HOUSING AUTHORITY	-\$67,981
Arcuri, Michael	HA OF ILION VILLAGE	-\$20,095	Berry, Marion	MALVERN HOUSING AUTHORITY	-\$60,653
Arcuri, Michael	HA OF ROME	-\$79,933	Berry, Marion	MISSISSIPPI COUNTY PUBLIC FACILITIES	-\$159,488
Arcuri, Michael	TOWN OF CAMDEN	-\$283	Berry, Marion	POCAHONTAS PUBLIC HSG AGENCY	-\$1,614
Arcuri, Michael	TOWN OF FORESTPORT	-\$28,674	Berry, Marion	WHITE RIVER REGIONAL HOUSING AUTHORITY	-\$108,838
Arcuri, Michael	TOWN OF NEW HARTFORD	-\$24,212	Berry, Marion	WYNNE HOUSING AUTHORITY	-\$33,837
Arcuri, Michael	TOWN OF VERNON	-\$12,119	Bilbray, Brian	CITY OF CARLSBAD HOUSING &	-\$313,608
Arcuri, Michael	TOWN OF WHITESTOWN	-\$3,313	Bilbray, Brian	CITY OF ENCINITAS HOUSING AUTHORITY	-\$21,246
Arcuri, Michael	VILLAGE OF CLINTON	-\$5,038	Bilirakis, Gus	CLEARWATER H/A	-\$598,945
Arcuri, Michael	VILLAGE OF NEW HARTFORD	-\$29,473	Bishop, Rob	HA OF CITY OF OGDEN	-\$388,204

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Bishop, Rob	DAVIS COUNTY HOUSING AUTHORITY	Boucher, Rick	WISE COUNTY REDEVELOPMENT & H/A
Bishop, Rob	HOUSING AUTHORITY OF SALT LAKE CITY	Boustany, Charles	CALCASIEU PARISH POLICE JURY
Bishop, Rob	LOGAN CITY HOUSING AUTHORITY	Boustany, Charles	EVANGELINE PH. POLICE JURY, SEC.8
Bishop, Rob	WEBER COUNTY HOUSING AUTHORITY	Boustany, Charles	RAYNE (CITY OF) SEC.8 HOUSING AGENCY
Bishop, Sanford	ALBANY HOUSING AUTHORITY	Boustany, Charles	WASHINGTON PARISH HSG AUTHORITY, SEC.8
Bishop, Sanford	HA COLUMBUS GA GEN FUND ACCT CONSL	Boyd, Allen	HA MARIANNA
Bishop, Timothy	NORTH FORK HSG ALLIANCE INC	Boyd, Allen	HA TALLAHASSEE
Bishop, Timothy	TOWN OF EAST HAMPTON	Boyd, Nancy	ATCHISON HOUSING AUTHORITY
Bishop, Timothy	TOWN OF SOUTHAMPTON	Boyd, Nancy	CHANUTE HOUSING AUTHORITY
Bishop, Timothy	VILLAGE OF PATCHOGUE CDA	Boyd, Nancy	ECKAN
Blunt, Roy	DALLAS COUNTY PHA	Boyd, Nancy	HOUSING AUTHORITY OF THE CITY OF
Blunt, Roy	JASPER COUNTY PUBLIC HOUSING AUTHORITY	Boyd, Nancy	RILEY COUNTY HOUSING AUTHORITY
Blunt, Roy	JOPLIN HOUSING AUTHORITY	Boyd, Nancy	SEK-CAP, INC
Boehner, John	BUTLER MET HA	Boyd, Nancy	TOPEKA HOUSING AUTHORITY
Boehner, John	MIDDLETOWN PUBLIC HOUSING AGENCY	Brady, Kevin	DEEP EAST TX COUNCIL OF GOVTS
Boehner, John	PREBLE METROPOLITAN HOUSING AUTH	Brady, Kevin	HOUSING AUTHORITY OF LIVINGSTON
Bonner, Jo	HA FOLEY	Brady, Kevin	HOUSING AUTHORITY OF ORANGE
Bonner, Jo	HA MONROEVILLE	Brady, Kevin	WALKER COUNTY HOUSING AUTHORITY
Bonner, Jo	HA PRICHARD	Brady, Robert	CHESTER HOUSING AUTHORITY
Bonner, Jo	MOBILE COUNTY HOUSING AUTHORITY	Brady, Bruce	BETTENDORF HOUSING AUTHORITY
Bonner, Jo	MOBILE HOUSING BOARD	Brady, Bruce	CITY OF CEDAR FALLS, IOWA
Bonner, Jo	CRAWFORD COUNTY PUBLIC FACILITIES BOARD		
Boozman, John	NO 1	Brady, Bruce	CITY OF DAVENPORT, IOWA
Boozman, John	FORT SMITH	Brady, Bruce	DUBUQUE DEPT OF HUMAN RIGHTS
Boozman, John	HARRISON HOUSING AGENCY	Brady, Bruce	EVANSDALE MUNICIPAL HOUSING AUTH
Boozman, John	HSG AUTH OF THE CITY OF SILOAM SPRINGS	Brady, Bruce	WATERLOO HOUSING AUTHORITY
Boozman, John	RUSSELLVILLE HOUSING AUTHORITY	Brown, Corrine	HA ALACHUA COUNTY
Bordallo, Madeleine	GUAM HSG AND URBAN RENEWAL AUTH	Brown, Corrine	HA PALATKA
Boren, Dan	BROKEN BOW HOUSING AUTHORITY	Brown, Corrine	HOUSING AUTHORITY OF JACKSONVILLE
Boren, Dan	COALGATE HOUSING AUTHORITY	Brown, Henry	HOUSING AUTHORITY OF MYRTLE BEACH
Boren, Dan	HENRYETTA HOUSING AUTHORITY	Brown-Waite, Ginny	HA LEVY COUNTY
Boren, Dan	HUGO HOUSING AUTHORITY	Brown-Waite, Ginny	PASCO COUNTY HOUSING AUTHORITY
Boren, Dan	MC ALESTER HOUSING AUTHORITY	Brown-Waite, Ginny	SUMTER COUNTY HOUSING SERVICES
Boswell, Leonard	ALBIA LOW RENT HOUSING AGENCY	Buchanan, Vern	HA MANATEE COUNTY
Boswell, Leonard	CENTRAL IOWA REGIONAL HOUSING AUTH	Buchanan, Vern	HA SARASOTA
Boswell, Leonard	CITY OF DES MOINES MUNICIPAL HOUSING AGENCY		
Boswell, Leonard	MUNICIPAL HOUSING AGENCY	Burgess, Michael	GAINESVILLE HOUSING AUTHORITY
Boswell, Leonard	OSKALOOSA MUNICIPAL PHA	Burgess, Michael	TARRANT COUNTY HOUSING ASSISTANCE
Boucher, Rick	BRISTOL REDEVELOPMENT HA	Butterfield, G.K.	CHOANOKE AREA DEV ASSN
Boucher, Rick	NORTON REDEVELOPMENT & H/A	Butterfield, G.K.	HA GOLDSBORO
Boucher, Rick	PEOPLE INCORPORATED OF SOUTHWEST VIRGINIA	Butterfield, G.K.	HA ROANOKE CHOWAN REG HSG AUTHORITY
Boucher, Rick	SCOTT COUNTY REDEVELOPMENT & H/A	Butterfield, G.K.	HA ROCKY MOUNT
Boucher, Rick		Butterfield, G.K.	HA WASHINGTON

Butterfield, G.K.	HA WILLIAMSTON	Chandler, Ben	-\$23,099	COMMUNITY DEVELOPMENT AGENCY	-\$37,864
Butterfield, G.K.	HA WILSON	Chandler, Ben	-\$89,872	FRANKFORT HOUSING AUTHORITY	-\$151,640
Butterfield, G.K.	KINSTON H/A	Chandler, Ben	-\$76,083	GEORGETOWN HOUSING AUTHORITY	-\$20,561
Butterfield, G.K.	TWIN RIVERS OPPORTUNITIES INC	Chandler, Ben	-\$40,344	KENTUCKY HOUSING CORPORATION	-\$1,760,894
Buyer, Steve	HA FOR THE CITY OF LAFAYETTE	Chandler, Ben	-\$105,892	LEXINGTON-FAYETTE COUNTY HOUSING	-\$653,188
Camp, Dave	EVART HOUSING COMMISSION	Christensen, Donna	-\$1,621	VIRGIN ISLANDS HOUSING AUTHORITY	-\$2,781,536
Camp, Dave	GREENVILLE HSG. COMM.	Cleaver, Emanuel	-\$63,066	HOUSING AUTHORITY OF KANSAS CITY,	-\$4,169,792
Camp, Dave	MONTICALLY COUNTY HSG. COMM.	Cleaver, Emanuel	-\$94,900	INDEPENDENCE HOUSING AUTHORITY	-\$1,815,022
Camp, Dave	SAINT LOUIS HOUSING COMMISSION	Clyburn, James	-\$13,865	CHARLESTON COUNTY HOUS REDVEL AUTH.	-\$584,151
Camp, Dave	TRAVERSE CITY HSG. COMM.	Clyburn, James	-\$104,922	HA GEORGETOWN	-\$2,836
Cannon, Chris	BEAVER CITY HOUSING AUTHORITY	Clyburn, James	-\$6	HA MARION	-\$45,159
Cannon, Chris	HOUSING AUTHORITY OF THE CITY OF PROVO	Clyburn, James	-\$80,974	HA SUMTER	-\$174,642
Cannon, Chris	HOUSING AUTHORITY OF UTAH COUNTY	Cohen, Steve	-\$279,685	HA MEMPHIS	-\$2,243,591
Capito, Shelley Moore	BUCKHANNON HOUSING AUTHORITY	Cole, Tom	-\$10,095	NORMAN HOUSING AUTHORITY	-\$248,162
Capito, Shelley Moore	JACKSON HOUSING AUTHORITY	Conoway, Michael	-\$213,959	HOUSING AUTHORITY OF ABILENE	-\$1,423,758
Capito, Shelley Moore	MARTINSBURG HOUSING AUTHORITY	Conoway, Michael	-\$72,930	HOUSING AUTHORITY OF MONAHANS	-\$17,328
Capps, Lois	AREA HOUSING AUTHORITY OF THE COUNTY OF VENTURA	Conoway, Michael	-\$173,041	HOUSING AUTHORITY OF ODESSA	-\$106,828
Capps, Lois	CITY OF PORT HUENEME HOUSING AUTHORITY	Conoway, Michael	-\$110,361	HSG AUTH CITY OF MARBLE FALLS	-\$98,396
Capuano, Michael	CHELSEA HOUSING AUTHORITY	Conoway, Michael	-\$124,371	KERMIT HOUSING AUTHORITY	-\$30,396
Capuano, Michael	SOMERVILLE HOUSING AUTHORITY	Conyers, John	-\$469,804	MELVINDALE HOUSING COMMISSION	-\$127,752
Caraway, Michael	HOUSING AUTHORITY OF BRADY	Cooper, Jim	-\$86,858	METROPOLITAN DEVELOPMNT & HSG AGENCY	-\$1,976,164
Caraway, Michael	HOUSING AUTHORITY OF BROWNWOOD	Costa, James	-\$329,718	KINGS COUNTY HOUSING AUTH	-\$292,114
Cardoza, Dennis	COUNTY OF SAN JOAQUIN HOUSING AUTH.	Costello, Jerry	-\$2,987,378	FRANKLIN COUNTY HOUSING AUTHORITY	-\$7,035
Cardoza, Dennis	COUNTY OF STANISLAUS HOUSING AUTH	Costello, Jerry	-\$2,520,796	JACKSON COUNTY HOUSING AUTHORITY	-\$188,065
Canahan, Russ	FRANKLIN COUNTY PUBLIC HSG AGENCY	Costello, Jerry	-\$397,841	WILLIAMSON COUNTY HSG AUTHORITY	-\$109,869
Carney, Christopher	LYCOMING COUNTY HOUSING AUTHORITY	Courtney, Joe	-\$47,431	ENFIELD HSG AUTHORITY	-\$66,598
Carney, Christopher	MONTOUR COUNTY HOUSING AUTHORITY	Courtney, Joe	-\$74,361	NEW LONDON HOUSING AUTHORITY	-\$130,818
Carney, Christopher	SHAMOKIN HOUSING AUTHORITY	Courtney, Joe	-\$16,164	PLAINFIELD H A	-\$25,859
Carney, Christopher	SNYDER COUNTY HOUSING AUTHORITY	Courtney, Joe	-\$111,573	ROCKVILLE HOUSING AUTHORITY	-\$81,348
Carney, Christopher	WYOMING COUNTY HOUSING AUTHORITY	Cramer, Bud	-\$12,108	HA DECATUR	-\$115,085
Carson, Julia	DIVISION OF FAMILY AND CHILDREN	Cramer, Bud	-\$568,134	HA SO CENTRAL ALABAMA REGIONAL	-\$267,202
Carson, Julia	INDIANAPOLIS HOUSING AGENCY	Cubin, Barbara	-\$4,289,723	HOUSING AUTHORITY OF THE CITY OF CASPER	-\$162,964
Carter, John	CENTRAL TEXAS COUNCIL OF GOVTS	Cubler, John Abney	-\$1,677,948	HOUSTON HOUSING AUTHORITY	-\$7,252,416
Carter, John	HOUSING AUTHORITY OF CAMERON	Cuellar, Henry	-\$24,640	DILLEY HOUSING AUTHORITY	-\$9,581
Carter, John	ROUND ROCK HOUSING AUTHORITY	Cuellar, Henry	-\$74,326	FLORESVILLE HSG AUTHORITY	-\$11,915
Carter, John	TAYLOR HSG AUTHORITY	Cuellar, Henry	-\$70,733	HIDALGO COUNTY HOUSING AUTHORITY	-\$175,333
Castle, Michael	DOVER HOUSING AUTHORITY	Cuellar, Henry	-\$74,434	HIDALGO HOUSING AUTHORITY	-\$11,168
Castle, Michael	NEW CASTLE COUNTY	Cuellar, Henry	-\$408,372	JIM HOGG COUNTY HA	-\$11,463
Castle, Michael	NEWMARK HOUSING AUTHORITY	Cuellar, Henry	-\$66,172	LAREDO HOUSING AUTHORITY	-\$59,371
Castle, Michael	WILMINGTON HOUSING AUTHORITY	Cuellar, Henry	-\$389,640	MC ALLEN HOUSING AUTHORITY	-\$122,880
Castor, Kathy	BRADENTON HOUSING AUTHORITY	Cuellar, Henry	-\$218,630	PEARSALL HOUSING AUTHORITY	-\$28,790
Castor, Kathy	HA TAMPA	Cuellar, Henry	-\$2,965,082	POTEET HOUSING AUTHORITY	-\$7,036
Castor, Kathy	ST. PETERSBURG H/A	Davis, Arthur	-\$2,927,882	FAIRFIELD ALABAMA H/A	-\$122,158

Davis, Arthur	HA BESSEMER	- \$7,009	Diaz-Balart, Mario	HA LEE COUNTY	- \$39,834
Davis, Arthur	HA NORTHPORT	- \$7,498	Diaz-Balart, Mario	HIALEAH H/A	- \$1,667,106
Davis, Arthur	HA TARRANT	- \$68,803	Dicks, Norm	HOUSING AUTHORITY OF THE COUNTY OF	- \$173,241
Davis, Arthur	HA TUSCALOOSA	- \$33,007	Dicks, Norm	MASON COUNTY HOUSING AUTHORITY	- \$183,077
Davis, Danny	CITY OF N CHICAGO HOUSING AUTHORITY	- \$51,638	Dingell, John	INKSTER HOUSING COMMISSION	- \$611,538
Davis, Danny	HOUSING AUTHORITY OF COOK COUNTY	- \$7,693,156	Doggett, Lloyd	HALLETTSVILLE HOUSING AUTHORITY	- \$11,634
	STATE OF ILL. DEPT OF COMMERCE & COMM				
Davis, Danny	AFFAIRS	- \$177,606	Doggett, Lloyd	KYLE HOUSING AUTHORITY	- \$11,147
	BRISTOL, TN HOUSING & REDEVELOPMENT				
Davis, David	AUTHORITY	- \$2,805	Doggett, Lloyd	LA GRANGE HOUSING AUTHORITY	- \$11,857
Davis, David	HA MORRISTOWN	- \$12,901	Doggett, Lloyd	TEXAS DEPT HOUSING & COMMUNITY AFFAIRS	- \$1,538,531
	KINGSFORD HOUSING AND REDEVELOPMENT				
Davis, David	AUTHORITY	- \$365,373	Donnelly, Joe	LOGANSFORD HOUSING AUTHORITY	- \$297
Davis, Geoff	APPALACHIAN FOOTHILLS HA	- \$143,955	Donnelly, Joe	MARSHALL CO. HOUSING AUTHORITY	- \$22,956
Davis, Geoff	ASHLAND HOUSING AUTHORITY	- \$75,578	Donnelly, Joe	MICHIGAN CITY HA	- \$54,314
Davis, Geoff	CAMPBELL COUNTY HOUSING AUTHORITY	- \$51,079	Doolittle, John	CITY OF ROSEVILLE	- \$56,022
Davis, Geoff	COVINGTON HOUSING AUTHORITY	- \$197,321	Doolittle, John	PLACER COUNTY HOUSING AUTHORITY	- \$34,054
Davis, Geoff	MAYSVILLE HOUSING AUTHORITY	- \$71,274	Doyle, Michael	ALLEGHENY COUNTY HOUSING AUTHORITY	- \$512,071
Davis, Lincoln	HA PULASKI	- \$10,259	Doyle, Michael	MCKEESPORT HOUSING AUTHORITY	- \$94,548
DeFazio, Peter	COOS-CURRY HOUSING AUTHORITY	- \$327,163	Drake, Thelma	ACCOMACK-NORTHAMPTON REGIONAL H A	- \$191,161
DeFazio, Peter	HOUSING AUTHORITY OF DOUGLAS COUNTY	- \$38,481	Drake, Thelma	CITY OF VIRGINIA BEACH	- \$1,029,230
DeFazio, Peter	LINN-BENTON HOUSING AUTHORITY	- \$309,140	Duncan, John	EAST TN HUMAN RESOURCE AGENCY	- \$161,653
DeGette, Diana	CITY OF ENGLEWOOD HOUSING AUTHORITY	- \$543,179	Duncan, John	HA ETOWAH	- \$5,574
DeGette, Diana	COLORADO DIVISION OF HOUSING	- \$29,130	Duncan, John	HA KNOX COUNTY	- \$185,573
DeGette, Diana	SHERIDAN HOUSING AUTHORITY	- \$193,453	Duncan, John	HA MARYVILLE	- \$126,890
Delahunt, William	ABINGTON HSG AUTHORITY	- \$98,396	Duncan, John	KNOXVILLE COMMUNITY DEVEL CORP	- \$903,393
Delahunt, William	BARNSTABLE HSG AUTHORITY	- \$143,716	Duncan, John	SE TN HUMAN RESOURCE AGENCY	- \$65,622
Delahunt, William	BOURNE HOUSING AUTHORITY	- \$26,094	Edwards, Chet	BRAZOS VALLEY DEVELOPMENT COUNCIL	- \$986,058
Delahunt, William	DENNIS HSG AUTHORITY	- \$16,822	Edwards, Chet	CLEBURNE HOUSING AUTHORITY	- \$37,760
Delahunt, William	DUXBURY HSG AUTHORITY	- \$4,500	Ehlers, Vernon	GRAND RAPIDS HSG. COMM	- \$986,186
Delahunt, William	FALMOUTH HSG AUTHORITY	- \$122,864	Ehlers, Vernon	KENT COUNTY HOUSING COMMISSION	- \$108,133
Delahunt, William	HINGHAM HOUSING AUTHORITY	- \$12,448	Ehlers, Vernon	ROCKFORD HOUSING COMMISSION	- \$2,443
Delahunt, William	PEMBROKE HOUSING AUTHORITY	- \$116,604	Ehlers, Vernon	WYOMING HOUSING COMMISSION	- \$319
Delahunt, William	PLYMOUTH HOUSING AUTHORITY	- \$160,114	Ehleridge, Bob	COUNTY OF HARNETT	- \$71,352
Delahunt, William	SANDWICH HSG AUTHORITY	- \$16,762	Elison, Keith	RICHFIELD HRA	- \$6,884
Delahunt, William	WEYMOUTH HOUSING AUTHORITY	- \$292,134	Elison, Keith	MINNEAPOLIS PHA	- \$3,690,568
Delahunt, William	YARMOUTH HSG AUTHORITY	- \$144,797	Elison, Keith	ST LOUIS PARK HRA	- \$26,129
DeLauro, Rosa	DERBY H A	- \$182,050	Elisworth, Brad	BLOOMFIELD HA	- \$20,260
DeLauro, Rosa	EAST HAVEN HSG AUTHORITY	- \$4,239	Emerson, Jo Ann	CABOOL HOUSING AUTHORITY	- \$1,975
DeLauro, Rosa	MILFORD HOUSING AUTHORITY	- \$120,198	Emerson, Jo Ann	HOWELL COUNTY PHA	- \$85,373
DeLauro, Rosa	NAUGATUCK HOUSING AUTHORITY	- \$164,554	Emerson, Jo Ann	NEW MADRID COUNTY HOUSING AUTHORITY	- \$2,130
Dent, Charles	ALLEN TOWN HOUSING AUTHORITY	- \$943,335	Emerson, Jo Ann	ORAN HOUSING AUTHORITY	- \$25,819
Dent, Charles	LEHIGH COUNTY HOUSING AUTHORITY	- \$226,690	Emerson, Jo Ann	PHELPS COUNTY PHA	- \$130,282
Diaz-Balart, Mario	COLLIER COUNTY HA	- \$76,272	Emerson, Jo Ann	RIPLEY COUNTY PHA	- \$1,306
Diaz-Balart, Mario	H/A CITY OF HOMESTEAD	- \$1,223,651	Emerson, Jo Ann	ROLLA HOUSING AUTHORITY	- \$10,698

Emerson, Jo Ann	SIKESTON HOUSING AUTHORITY	Fortuno, Luis	-\$62,002	MUNICIPALITY OF ADJUNTAS	-\$1,510
Engel, Eliot	TOWN OF RAMAPO HOUSING AUTHORITY	Fortuno, Luis	-\$74,405	MUNICIPALITY OF AGUAS BUENAS	-\$125,161
Engel, Eliot	VILLAGE OF NYACK HOUSING AUTHORITY	Fortuno, Luis	-\$76,242	MUNICIPALITY OF AIBONITO	-\$25,501
English, Phil	CORRY HOUSING AUTHORITY	Fortuno, Luis	-\$103,933	MUNICIPALITY OF ARECIBO	-\$546,645
English, Phil	ERIE COUNTY HOUSING AUTHORITY	Fortuno, Luis	-\$247,478	MUNICIPALITY OF BAYAMON	-\$975,273
English, Phil	HSG AUTHORITY OF THE COUNTY OF WARREN	Fortuno, Luis	-\$48,945	MUNICIPALITY OF CAGUAS	-\$302,508
Ethridge, Bob	HA SANFORD	Fortuno, Luis	-\$37,692	MUNICIPALITY OF CANOVANAS	-\$7,083
Everett, Terry	DOTHAN H/A	Fortuno, Luis	-\$85,044	MUNICIPALITY OF CAROLINA	-\$330,154
Everett, Terry	H/A CITY OF MONTGOMERY	Fortuno, Luis	-\$2,806,999	MUNICIPALITY OF CIALES	-\$18,190
Everett, Terry	HA ELBA	Fortuno, Luis	-\$21,557	MUNICIPALITY OF COAMO	-\$6,715
Everett, Terry	HA ENTERPRISE	Fortuno, Luis	-\$169,113	MUNICIPALITY OF COMERIO	-\$10,416
Everett, Terry	HA EVERGREEN	Fortuno, Luis	-\$17,262	MUNICIPALITY OF DORADO	-\$78,525
Everett, Terry	HA GREENVILLE	Fortuno, Luis	-\$55,706	MUNICIPALITY OF FAJARDO	-\$42,667
Everett, Terry	HA MIDLAND CITY	Fortuno, Luis	-\$18,310	MUNICIPALITY OF GUANICA	-\$4,307
Everett, Terry	HA OPP	Fortuno, Luis	-\$51,574	MUNICIPALITY OF GURABO	-\$25,137
Everett, Terry	HA OZARK	Fortuno, Luis	-\$13,844	MUNICIPALITY OF ISABELA	-\$34,293
Everett, Terry	HA SAMSON	Fortuno, Luis	-\$53,500	MUNICIPALITY OF JUANA DIAZ	-\$27,694
Everett, Terry	HA TROY	Fortuno, Luis	-\$59,212	MUNICIPALITY OF LARES	-\$46,891
Everett, Terry	PRATTVILLE HOUSING AUTHORITY	Fortuno, Luis	-\$5,345	MUNICIPALITY OF MARICAO	-\$17,266
Fallin, Mary	DEL CITY HOUSING AUTHORITY	Fortuno, Luis	-\$32,574	MUNICIPALITY OF MOCA	-\$10,100
Fallin, Mary	OKLAHOMA CITY HOUSING AUTHORITY	Fortuno, Luis	-\$679,188	MUNICIPALITY OF NARANJITO	-\$70,146
Fallin, Mary	OKLAHOMA HOUSING FINANCE AGENCY	Fortuno, Luis	-\$1,746,840	MUNICIPALITY OF PATILLAS	-\$6,053
Fallin, Mary	SEMINOLE HOUSING AUTHORITY	Fortuno, Luis	-\$13,248	MUNICIPALITY OF PENUELAS	-\$242,475
Fallin, Mary	SHAWNEE HOUSING AUTHORITY	Fortuno, Luis	-\$58,897	MUNICIPALITY OF QUEBRADILLAS	-\$84,386
Fallin, Mary	TECUMSEH HOUSING AUTHORITY	Fortuno, Luis	-\$9,479	MUNICIPALITY OF RIO GRANDE	-\$90,252
Fallin, Mary	WEWOKA HOUSING AUTHORITY	Fortuno, Luis	-\$20,917	MUNICIPALITY OF SABANA GRANDE	-\$9,616
Farr, Sam	SAN JUAN BAUTISTA	Fortuno, Luis	-\$61,265	MUNICIPALITY OF SALINAS	-\$11,412
Feeney, Tom	HA OF THE CITY OF TITUSVILLE	Fortuno, Luis	-\$81,331	MUNICIPALITY OF SAN LORENZO	-\$46,005
Ferguson, Mike	EDISON HOUSING AUTHORITY	Fortuno, Luis	-\$118,473	MUNICIPALITY OF TOA ALTA	-\$21,027
Ferguson, Mike	HUNTERDON HOUSING AUTHORITY	Fortuno, Luis	-\$28,738	MUNICIPALITY OF VEGA BAJA	-\$44,735
Ferguson, Mike	MANVILLE HOUSING AUTHORITY	Fortuno, Luis	-\$4,384	MUNICIPALITY OF YABUCOA	-\$21,577
Ferguson, Mike	WOODBIDGE HOUSING AUTHORITY	Fortuno, Luis	-\$168,757	MUNICIPALITY OF YAUCO	-\$250
Fliner, Bob	IMPERIAL VALLEY HOUSING AUTHORITY	Fortuno, Luis	-\$433,008	MUNICIPALITY OF VEGA ALTA	-\$40,064
Flake, Jeff	CITY OF MESA	Fortuno, Luis	-\$235,530	PUERTO RICO HOUSING FINANCE CORP	-\$356,396
Forbes, Randy	CHESAPEAKE REDEVELOPMENT & H/A	Fox, Virginia	-\$253,820	STATESVILLE HOUSING AUTHORITY	-\$468,931
Forbes, Randy	FRANKLIN REDEVELOPMENT & H/A	Frank, Barney	-\$46,018	DARTMOUTH HA	-\$53,467
Forbes, Randy	HOPEWELL REDEVELOPMENT & H/A	Frank, Barney	-\$187,781	HALIFAX HSG AUTHORITY	-\$3,311
Forbes, Randy	PETERSBURG REDEVELOPMENT & H/A	Frank, Barney	-\$940,839	MANSFIELD HSG AUTHORITY	-\$23,476
Forbes, Randy	SUFFOLK REDEVELOPMENT & H/A	Frank, Barney	-\$164,551	MIDDLEBOROUGH HSG AUTHORITY	-\$160,707
Fortenberry, Jeff	NORFOLK REDEVELOPMENT & H/A	Frank, Barney	-\$16,312	TAUNTON HOUSING AUTHORITY	-\$8,191
Fortuno, Luis	MUNICIPALITY OF VIEQUES	Frank, Barney	-\$33,462	WELLESLEY HSG AUTHORITY	-\$6,514
Fortuno, Luis	MUN OF GUAYANILLA	Franks, Trent	-\$52,330	CITY OF PEORIA	-\$41,382
Fortuno, Luis	MUNICIPALITY OF BARCELONETA	Franks, Trent	-\$25,548	MOHAVE COUNTY HSG AUTH	-\$8,743
Fortuno, Luis	MUNICIPALITY HUMACAO	Frelinghuysen, Rodney	-\$271,550	MADISON HOUSING AUTHORITY	-\$47,007
Fortuno, Luis	MUNICIPALITY LUQUILLO	Frelinghuysen, Rodney	-\$432	MORRIS COUNTY HOUSING AUTHORITY	-\$350,066

Frelinghuysen, Rodney	MORRISTOWN HOUSING AUTHORITY	Green, Al	-\$125,839	HARRIS COUNTY HSG AND COMMUNITY DEV.	-\$61,403
Garrett, Scott	WARREN COUNTY HOUSING AUTHORITY	Green, Gene	-\$181,367	BAYTOWN HOUSING AUTHORITY	-\$945,289
Gerlach, Jim	BERKS COUNTY HOUSING AUTHORITY	Grijalva, Raul	-\$217,498	CITY OF TUCSON	-\$1,451,001
Gerlach, Jim	MONTGOMERY COUNTY HOUSING AUTHORITY	Grijalva, Raul	-\$1,344,529	PIMA COUNTY	-\$840,483
Giffords, Gabrielle	CITY OF DOUGLAS HSG AUTH	Grijalva, Raul	-\$34,164	SOUTH TUCSON CITY HOUSING AUTH	-\$33,377
Giffords, Gabrielle	COUNTY OF COCHISE PHA	Hall, John	-\$74,772	CITY OF PECKSKILL	-\$372,815
Gilchrist, Wayne	HARFORD COUNTY HOUSING AGENCY	Hall, John	-\$173,288	HA OF BEACON	-\$213,596
Gilchrist, Wayne	QUEEN ANNE'S COUNTY HSG AUTHORITY	Hall, John	-\$48,475	PORT JERVIS COMMUNITY DEVELOPMENT	-\$68,449
Gilchrist, Wayne	ST. MICHAELS HOUSING AUTHORITY	Hall, John	-\$1,648	TOWN OF POUGHKEEPSIE	-\$107,993
Gilchrist, Wayne	WICOMICO COUNTY HOUSING AUTHORITY	Hall, John	-\$178,658	TOWN OF YORKTOWN	-\$6,680
Gillibrand, Kirsten	CITY OF HUDSON	Hall, Ralph	-\$12,728	ARK-TEX COUNCIL OF GOVTS	-\$1,012,266
Gillibrand, Kirsten	HA OF HOOSICK FALLS	Hall, Ralph	-\$43,844	COMMERCE HOUSING AUTHORITY	-\$270,068
Gillibrand, Kirsten	HA OF MECHANICVILLE	Hall, Ralph	-\$35,325	CRYSTAL CITY HSG AUTHORITY	-\$57,004
Gillibrand, Kirsten	HA OF SARATOGA SPRINGS	Hall, Ralph	-\$15,025	GREENVILLE HOUSING AUTHORITY	-\$188,049
Gillibrand, Kirsten	TOWN OF DAVENPORT	Hall, Ralph	-\$263	HOUSING AUTHORITY OF ROCKWALL	-\$41,056
Gillibrand, Kirsten	TOWN OF KORTRIGHT	Hall, Ralph	-\$15,209	HOUSING AUTHORITY OF TEXARKANA	-\$191,205
Gillibrand, Kirsten	VILLAGE OF DELHI	Hall, Ralph	-\$11,877	HOUSING AUTHORITY OF PARIS	-\$47,760
Gillibrand, Kirsten	VILLAGE OF DEPOSIT	Hall, Ralph	-\$4,595	HOUSING AUTHORITY OF GOVERNMENTS	-\$72,461
Gillibrand, Kirsten	VILLAGE OF HANCOCK	Hare, Phil	-\$70	TEXOMA COUNCIL OF GOVERNMENTS	-\$43,792
Gillmor, Paul	SANDUSKY MHA	Hare, Phil	-\$208,260	CHRISTIAN CITY HA	-\$104,608
Gingrey, Phil	CITY OF MARIETTA	Hare, Phil	-\$488,978	DECATUR HOUSING AUTHORITY	-\$98,198
Gingrey, Phil	HA MARIETTA	Hare, Phil	-\$1,716,197	GREATER METROPOLITAN AREA HSG OF ROCK	-\$37,162
Gohmert, Louie	HOUSING AUTHORITY OF TATUM	Hare, Phil	-\$3,708	HENDERSON COUNTY HOUSING AUTHORITY	-\$323,750
Gohmert, Louie	HOUSING AUTHORITY OF THE CITY OF BECKVILLE	Hare, Phil	-\$147,359	HOUSING AUTH. CITY OF ROCK ISLAND	-\$143,338
Gohmert, Louie	MARSHALL HOUSING AUTHORITY	Hare, Phil	-\$262,932	KNOX COUNTY HOUSING AUTHORITY	-\$58,690
Gohmert, Louie	TYLER HOUSING AUTHORITY	Hare, Phil	-\$148,435	MCDONOUGH COUNTY HOUSING AUTHORITY	-\$15,588
Gonzales, Charles	BEXAR COUNTY HSG AUTHORITY	Hare, Phil	-\$517,643	MERCER COUNTY HOUSING AUTHORITY	-\$9,383
Goode, Virgil	COUNTY OF ALBEMARLE/DEPT. OF FINANCE	Hare, Phil	-\$223,401	MONTGOMERY COUNTY HOUSING AUTHORITY	-\$289,401
Goode, Virgil	MARTINSVILLE REDEV. & HOUSING AUTHORITY	Hare, Phil	-\$145,130	QUINCY HOUSING AUTHORITY	-\$1,283,772
Goodlatte, Bob	COVINGTON REDEV. & HSG AUTHORITY	Hare, Phil	-\$8,236	SPRINGFIELD HOUSING AUTHORITY	-\$3,240
Goodlatte, Bob	HARRISONBURG REDEVELOPMENT & H/A	Harman, Jane	-\$312,013	WARREN COUNTY HOUSING AUTHORITY	-\$23,625
Goodlatte, Bob	ROANOKE REDEVELOPMENT & H/A	Harman, Jane	-\$89,623	CITY OF LOMITA HOUSING AUTHORITY	-\$276,966
Goodlatte, Bob	STAUNTON REDEVELOPMENT & HOUSING AUTHORITY	Harman, Jane	-\$30,720	CITY OF TORRANCE	-\$95,413
Gordon, Bart	HA MURFREESBORO	Hastert, Dennis	-\$74,020	REDONDO BEACH HOUSING AUTHORITY	-\$208,837
Graves, Sam	ABCD HOUSING AGENCY	Hastert, Dennis	-\$54,882	AURORA HOUSING AUTHORITY	-\$735,241
Graves, Sam	CARROLLTON HOUSING AUTHORITY	Hastert, Dennis	-\$2,697	ELGIN HA	-\$46,825
Graves, Sam	EXCELSIOR SPRINGS HOUSING AUTHORITY	Hastings, Alcee	-\$61,734	KENDALL COUNTY HSG AUTH	-\$1,725,387
Graves, Sam	GRUNDY COUNTY HOUSING AUTHORITY	Hastings, Alcee	-\$27,097	HA FORT LAUDERDALE CITY	-\$1,148,960
Graves, Sam	HOUSING AUTHORITY OF THE CITY OF SAINT JOSEPH	Hastings, Doc	-\$280,384	HA PALM BEACH COUNTY	-\$80,874
Graves, Sam	NODAWAY COUNTY PHA	Hastings, Doc	-\$55,195	HA OF CHELAN COUNTY/CITY OF WENATCHEE	-\$1,010,390
Graves, Sam	WESTON HOUSING AUTHORITY	Hastings, Doc	-\$59,935	HOUSING AUTHORITY CITY OF KENNEWICK	-\$4,931
		Hastings, Doc		HOUSING AUTHORITY OF GRANT COUNTY	-\$269,551
		Hastings, Doc		HOUSING AUTHORITY OF THE CITY OF	

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Hastings, Doc	HOUSING AUTHORITY OF THE CITY OF YAKIMA	Hill, Baron	SELLERSBURG HA	-\$18,200
Hastings, Doc	HSG AUTH OF THE CITY OF PASCO & FRANKLIN COUNTY	Hill, Baron	TELL CITY HA	-\$3,627
Hayes, Robin	HA MONROE	Hinchey, Maurice	CITY OF BINGHAMTON	-\$24,255
Hayes, Robin	HA OF THE TOWN OF LAURINBURG	Hinchey, Maurice	CITY OF POUGHKEEPSIE MUNICIPAL BLDG	-\$10,965
Hayes, Robin	HA ROCKINGHAM	Hinchey, Maurice	HA OF ITHACA	-\$239,730
Hayes, Robin	HA WADESBORO	Hinchey, Maurice	HA OF MONTICELLO	-\$357,482
Hensarling, Jeb	ANDERSON COUNTY HOUSING AUTHORITY	Hinchey, Maurice	KINGSTON COMMUNITY DEVELOPMENT	-\$242,869
Hensarling, Jeb	ATHENS HOUSING AUTHORITY	Hinchey, Maurice	POUGHKEEPSIE HOUSING AUTHORITY	-\$1,028
Hensarling, Jeb	HOUSING AUTHORITY OF ALTO	Hinchey, Maurice	TOWN OF UNION	-\$182,122
Hensarling, Jeb	HOUSING AUTHORITY OF EDGEWOOD	Hinjosa, Ruben	ALAMO AREA COUNCIL OF GOVERNME	-\$12,209
Hensarling, Jeb	HOUSING AUTHORITY OF WILLS POINT	Hinjosa, Ruben	BEEVILLE HOUSING AUTHORITY	-\$123,413
Hensarling, Jeb	MESQUITE HOUSING AUTHORITY	Hinjosa, Ruben	CUERO HOUSING AUTHORITY	-\$2,681
Hensarling, Jeb	RUSK HOUSING AUTHORITY	Hinjosa, Ruben	DUVAL COUNTY HSG AUTHORITY	-\$230
Hergert, Wally	COUNTY OF BUTTE HSG AUTH	Hinjosa, Ruben	EDCOUCH HOUSING AUTHORITY	-\$32,506
Hergert, Wally	COUNTY OF SHASTA HSG AUTH	Hinjosa, Ruben	EDINBURG HOUSING AUTHORITY	-\$6,412
Hergert, Wally	COUNTY OF SUTTER HSG AUTHORITY	Hinjosa, Ruben	ELSA HOUSING AUTHORITY/LA HACIENDA	-\$1,208
Hergert, Wally	YUBA COUNTY HOUSING AUTHORITY	Hinjosa, Ruben	FALFURRIAS HOUSING AUTHORITY	-\$71,822
Herseth, Stephanie	BROOKINGS HOUSING & REDEVELOPMENT COMMISSION	Hinjosa, Ruben	HSG AUTH CITY OF DONNA	-\$40,337
Herseth, Stephanie	CANTON HOUSING & REDEVELOPMENT COMMISSION	Hinjosa, Ruben	MATHIS HOUSING AUTHORITY	-\$5,624
Herseth, Stephanie	CITY OF LENNOX HOUSING & REDEVELOPMENT COM.	Hinjosa, Ruben	MERCEDES HOUSING AUTHORITY	-\$30,223
Herseth, Stephanie	CITY OF MITCHELL HOUSING & REDEVELOPMENT COMM	Hinjosa, Ruben	ODEM HOUSING AUTHORITY	-\$55,620
Herseth, Stephanie	CLARK HOUSING & REDEVELOPMENT COMMISSION	Hinjosa, Ruben	YOAKUM HOUSING AUTHORITY	-\$7,942
Herseth, Stephanie	HURON HOUSING AUTHORITY	Hirono, Mazie	COUNTY OF HAWAII	-\$174,217
Herseth, Stephanie	LAWRENCE COUNTY HOUSING AUTHORITY	Hodes, Paul	LANCASTER HOUSING AUTHORITY	-\$9,811
Herseth, Stephanie	MADISON HOUSING & REDEVELOPMENT COMMISSION	Hodes, Paul	LEBANON HOUSING AUTHORITY	-\$39,815
Herseth, Stephanie	MILLER HOUSING & REDEVELOPMENT COMMISSION	Hodes, Paul	NORTHUMBERLAND HSG AUTHORITY	-\$4,081
Herseth, Stephanie	REDFIELD HOUSING AND REDEVELOPMENT COMMISSION	Hoekstra, Peter	MUSKEGON HEIGHTS HSG. COMM.	-\$70,127
Herseth, Stephanie	VERMILLION HOUSING & REDEVELOPMENT COMMISSION	Hoekstra, Peter	MUSKEGON HOUSING COMMISSION	-\$24,909
Herseth, Stephanie	WATERTOWN HOUSING & REDEVELOPMENT COM.	Holden, Tim	HARRISBURG HOUSING AUTHORITY	-\$55,620
Herseth, Stephanie	WESSINGTON SPGS HSG & REDEV COMM	Holden, Tim	LEBANON COUNTY HOUSING AUTHORITY	-\$334,294
Higgins, Brian	BUFFALO MUNICIPAL HOUSING AUTH	Holden, Tim	POTTSVILLE HOUSING AUTHORITY	-\$84,725
Higgins, Brian	CITY OF BUFFALO	Holt, Rush	MIDDLETOWN HOUSING AUTHORITY	-\$17,029
Hill, Baron	CANNELTON HOUSING AUTHORITY	Holt, Rush	OLD BRIDGE HOUSING AUTHORITY	-\$19,322
Hill, Baron	HOUSING AUTH. CITY OF JEFFERSONVILL	Hooley, Darlene	HOUSING & URBAN RENEWAL AGENCY OF	-\$52,056

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Hooley, Darlene	HOUSING AUTHORITY OF LINCOLN COUNTY	Kennedy, Patrick	BURRILLVILLE HOUSING AUTHORITY	-\$32,451
Hooley, Darlene	HOUSING AUTHORITY OF THE CITY OF SALEM	Kennedy, Patrick	EAST PROVIDENCE H A	-\$56,271
Hooley, Darlene	MARION COUNTY HOUSING AUTHORITY	Kennedy, Patrick	LINCOLN HOUSING AUTHORITY	-\$14,004
Hoyer, Steny	COUNTY COMMISSIONERS CHARLES COUNTY	Kennedy, Patrick	NEWPORT HOUSING AUTHORITY	-\$932,363
Hoyer, Steny	HSG AUTHORITY OF CALVERT COUNTY	Kennedy, Patrick	PORTSMOUTH HOUSING AUTHORITY	-\$126,806
Hulshof, Kenny	FULTON HOUSING AUTHORITY	Kennedy, Patrick	SMITHFIELD HOUSING AUTHORITY	-\$54,971
Hulshof, Kenny	LINCOLN COUNTY PUB HSG AGENCY	Kennedy, Patrick	TIVERTON HOUSING AUTHORITY	-\$28,755
Hulshof, Kenny	MACON HOUSING AUTHORITY	Klidae, Dale	FLINT HOUSING COMMISSION	-\$396,696
Hulshof, Kenny	MEXICO HOUSING AUTHORITY	Klidae, Dale	SAGINAW HOUSING COMMISSION	-\$224,223
Hulshof, Kenny	VANDALIA HOUSING AUTHORITY	Kilpatrick, Carolyn	DETROIT HOUSING COMMISSION	-\$2,150,154
Hunter, Durcan	COUNTY OF SAN DIEGO	Kilpatrick, Carolyn	LINCOLN PARK HSG. COMM.	-\$142,152
Inglis, Bob	CITY OF SPARTANBURG H/A	Kind, Ron	CRAWFORD COUNTY HSG AUTH	-\$22
Inglis, Bob	HA GREENVILLE	Kind, Ron	DUNN COUNTY HA	-\$45,942
Israel, Steve	HA OF HUNTINGTON	Kind, Ron	EAU CLAIRE COUNTY HA	-\$81,481
Israel, Steve	HA OF OYSTER BAY	Kind, Ron	EAU CLAIRE HOUSING AUTHORITY	-\$10,393
Israel, Steve	WILLIAMSPORT HOUSING AUTHORITY	Kind, Ron	LAFAYETTE CO. HSG AUTH	-\$17,114
Issa, Darrell	CITY OF OCEANSIDE COMM DEV COMMISSION	Kind, Ron	MAUSTON HA	-\$17,356
Jackson, Jesse	HOUSING AUTHORITY OF PARK FOREST	King, Peter	GLEN COVE CDA	-\$264,429
Jindal, Bobbie	KENTWOOD (TOWN OF) SEC.8 HOUSING AGENCY	King, Peter	HA OF LONG BEACH	-\$329,926
Jindal, Bobbie	PEARL RIVER (TOWN OF) HOUSING AUTHORITY	King, Peter	TOWN OF BABYLON HOUSING ASSISTANCE	-\$1,750,956
Johnson, Eddie	DALLAS COUNTY HOUSING ASSISTANCE PROGRAM	King, Peter	VILLAGE OF SEA CLIFF	-\$4,095
Johnson, Eddie	HOUSING AUTHORITY OF DALLAS	King, Steve	COUNCIL BLUFFS MUNICIPAL HOUSING	-\$128,691
Johnson, Henry	H/A DEKALB COUNTY	King, Steve	SOUTHERN IOWA REG HSG AUTHORITY	-\$10,400
Johnson, Henry	HA DECATUR	Kingston, Jack	HA OF THE CITY OF BRUNSWICK	-\$651,163
Johnson, Henry	HA LITHONIA	Kirk, Mark	WAUKEGAN HOUSING AUTHORITY	-\$330,903
Johnson, Timothy	CHAMPAIGN COUNTY HOUSING AUTHORITY	Klein, Ron	HA DEERFIELD BEACH	-\$166,120
Johnson, Timothy	CITY OF DANVILLE HOUSING AUTHORITY	Knollenberg, Joe	PONTIAC HOUSING COMMISSION	-\$904,190
Johnson, Timothy	CLARK COUNTY HOUSING AUTHORITY	Knollenberg, Joe	ROYAL OAK HOUSING COMMISSION	-\$1,872
Johnson, Timothy	FORD CTY HA	Kuhl, John	VILLAGE OF HORSEHEADS	-\$12,003
Johnson, Timothy	HOUSING AUTHORITY OF THE COUNTY OF CUMBERLAND	Lahood, Ray	EAST PEORIA HOUSING AUTHORITY	-\$15,846
Johnson, Timothy	LIVINGSTON COUNTY HOUSING AUTHORITY	Lahood, Ray	MASON COUNTY HOUSING AUTHORITY	-\$85,403
Johnson, Timothy	VERMILION COUNTY HOUSING AUTHORITY	Lahood, Ray	MENARD COUNTY HOUSING AUTHORITY	-\$51,467
Jones, Stephanie	Tubbs CUYAHOGA MHA	Lahood, Ray	PEORIA HOUSING AUTHORITY	-\$1,339,551
Jordan, Jim	ALLEN MHA 160001003 A/C #	Lahood, Ray	WOODFORD COUNTY HOUSING AUTHORITY	-\$15,772
Jordan, Jim	DELAWARE METRO HOUSING AUTHORITY	Lahood, Ray	EL PASO COUNTY HOUSING AUTHORITY	-\$31,527
Jordan, Jim	HANCOCK MHA	Lamborn, Doug	ROSENBERG HOUSING AUTHORITY	-\$79,850
Jordan, Jim	HURON MHA	Lampson, Nick	EAST GREENWICH H A	-\$335,038
Kagen, Steve	BROWN COUNTY HA	Langevin, James	PROVIDENCE HOUSING AUTHORITY	-\$161,707
Kagen, Steve	KAUKAUNA HA	Langevin, James	RHODE ISLAND HSG MORT FIN CORP	-\$1,227,258
Kaptur, Marcy	ERIE MHA	Langevin, James	SOUTH KINGSTON HOUSING AUTHORITY	-\$10,165
Kaptur, Marcy	LUCAS MHA	Langevin, James	TOWN OF WESTERLY H A	-\$111,368
Keller, Ric	ORANGE CO SECTION 8	Langevin, James	WARWICK H A	-\$250,659

Larsen, Rick	HOUSING AUTHORITY CITY OF EVERETT	Lowey, Nita	THE CITY OF WHITE PLAINS	-\$93,190
Larsen, Rick	HOUSING AUTHORITY OF SKAGIT COUNTY	Lowey, Nita	TOWN OF MAMARONECK PHA	-\$232,660
Larson, John	BRISTOL HOUSING AUTHORITY	Lowey, Nita	VILLAGE OF OSSINING	-\$392,325
Larson, John	EAST HARTFORD HOUSING AUTHORITY	Lowey, Nita	VILLAGE OF PELHAM HOUSING AUTHORITY	-\$70,951
Larson, John	GLASTONBURY HOUSING AUTHORITY	Lowey, Nita	VILLAGE OF PORT CHESTER COMMUNITY	
Larson, John	NEWINGTON H A	Lucas, Frank	DEVELOP. DEPT	-\$209,056
Larson, John	WETHERSFIELD H A	Lynch, Stephen	PONCA CITY HOUSING AUTHORITY	-\$7,151
Larson, John	WINDSOR H A	Lynch, Stephen	BRAINTREE HSG AUTHORITY	-\$10,961
Latham, Tom	CHARLES CITY HOUSING AND REDEV. AUTHORITY	Lynch, Stephen	EASTON HOUSING AUTHORITY	-\$11,322
Latham, Tom	CITY OF AMES DEPT. OF PLANNING & HS	Lynch, Stephen	HANSON HOUSING AUTHORITY	-\$29,404
Latham, Tom	FORT DODGE HOUSING AGENCY	Lynch, Stephen	MILTON HSG AUTHORITY	-\$40,135
Latham, Tom	LRHA OF DECORAH IOWA	Lynch, Stephen	NORWOOD HSG AUTHORITY	-\$18,345
Latham, Tom	MID IOWA REGIONAL HOUSING AUTHORITY	Lynch, Stephen	STOUGHTON HOUSING AUTHORITY	-\$76,686
Latham, Tom	NEW HAMPTON MUNICIPAL HOUSING AGCY	Lynch, Stephen	WALPOLE HSG AUTHORITY	-\$36,033
Latham, Tom	NORTH IOWA REGIONAL HOUSING AUTH	Mahoney, Tim	HA AVON PARK	-\$104,828
Latham, Tom	UPPER EXPLORERLAND REGIONAL	Mahoney, Tim	HENDRY CO PUBLIC H/A	-\$25,868
LaTourrette, Steven	ASHTABULA MHA	Manzullo, Donald	BOONE COUNTY HOUSING AUTHORITY	-\$211,477
LaTourrette, Steven	LAKE MHA	Manzullo, Donald	FREEPORT HOUSING AUTHORITY	-\$8,255
Levin, Sander	EASTPOINTE HOUSING COMMISSION	Manzullo, Donald	ROCKFORD HOUSING AUTHORITY	-\$2,142,206
Levin, Sander	FERNDALE HOUSING COMMISSION	Manzullo, Donald	WINNEBAGO COUNTY HOUSING AUTHORITY	-\$185,691
Levin, Sander	MADISON HEIGHTS HSG COMMISSION	Marchant, Kenny	HOUSING AUTHORITY OF GRAPEVINE	-\$7,529
Levin, Sander	CITY OF NEEDLES HOUSING AUTHORITY	Markey, Edward	ARLINGTON HSG AUTHORITY	-\$183,312
Lewis, Jerry		Markey, Edward	BELMONT HSG AUTHORITY	-\$13,131
Lewis, John	GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS	Markey, Edward	FRAMINGHAM HOUSING AUTHORITY	-\$119,659
Lewis, John	HA EAST POINT	Markey, Edward	LEXINGTON HOUSING AUTHORITY	-\$46,290
Lewis, Ron	BARDSTOWN HOUSING AUTHORITY	Markey, Edward	MALDEN HOUSING AUTHORITY	-\$298,393
Lewis, Ron	CAMPBELLSVILLE HOUSING AUTHORITY	Markey, Edward	MEDFORD HOUSING AUTHORITY	-\$909,187
Lewis, Ron	GREENSBURG HOUSING AUTHORITY	Markey, Edward	MELROSE HSG AUTHORITY	-\$137,224
Lewis, Ron	OWENSBORO HOUSING AUTHORITY	Markey, Edward	NATICK HSG AUTHORITY	-\$13,235
Lewis, Ron	SPRINGFIELD HOUSING AUTHORITY	Markey, Edward	REVERE HOUSING AUTHORITY	-\$72,036
Lewis, Ron	ATLANTIC CITY HOUSING AUTHORITY	Markey, Edward	WALTHAM HOUSING AUTHORITY	-\$409,216
LoBlondo, Frank	MILLVILLE HOUSING AUTHORITY	Markey, Edward	WATERTOWN HOUSING AUTHORITY	-\$29,695
LoBlondo, Frank	SALEM HOUSING AUTHORITY	Markey, Edward	WINCHESTER HSG AUTHORITY	-\$46,248
LoBlondo, Frank	VINELAND HOUSING AUTHORITY	Marshall, Jim	HA MACON	-\$922,688
LoBlondo, Frank	AREA XV MULTI-COUNTY HOUSING AGENCY	Matheson, Jim	HOUSING AUTHORITY OF CARBON COUNTY	-\$25,135
LoBlondo, Frank	CITY OF CEDAR RAPIDS	Matheson, Jim	HOUSING AUTHORITY OF THE COUNTY OF	-\$52,047
LoBlondo, Frank	CITY OF IOWA CITY	Matheson, Jim	ROOSEVELT CITY HOUSING AUTHORITY	-\$3,908
LoBlondo, Frank	CITY OF MUSCATINE HOUSING AUTHORITY	Matheson, Jim	COUNTY OF SACRAMENTO HOUSING	-\$7,789,722
LoBlondo, Frank	FT MADISON HSG AUTH	Matsui, Doris	HA OF FREEPORT	-\$43,697
LoBlondo, Frank	KEOKUK LOW RENT HOUSING AGENCY	McCarthy, Carolyn	HEMPSTEAD HOUSING AUTHORITY	-\$174,112
LoBlondo, Frank	OTTUMWA HOUSING AUTHORITY	McCarthy, Carolyn	TOWN OF HEMPSTEAD DEPT OF URBAN	-\$40,120
LoBlondo, Frank	HA OF GREENBURGH	McCarthy, Kevin	HOUSING AUTHORITY COUNTY OF KERN	-\$159,052
Lowey, Nita	HOUSING AUTHORITY OF TUCKAHOE	McCaul, Michael	ELGIN HOUSING AUTHORITY	-\$21,748

McCollum, Betty	SOUTH CENTRAL MULTI COUNTY HRA	McNulty, Michael	TOWN OF STILLWATER	-\$30,075
McCollum, Betty	WASHINGTON COUNTY HRA	McNulty, Michael	VILLAGE OF CANAJOHARIE	-\$18,015
McCotter, Thaddeus	DEARBORN HEIGHTS HSG. COMM.	McNulty, Michael	VILLAGE OF COBLESKILL	-\$18,627
McCotter, Thaddeus	LIVONIA HOUSING COMMISSION	McNulty, Michael	VILLAGE OF FORT PLAIN	-\$8,455
McCotter, Thaddeus	PLYMOUTH HOUSING COMMISSION	McNulty, Michael	VILLAGE OF GREEN ISLAND	-\$3,261
McCotter, Thaddeus	WESTLAND HOUSING COMMISSION	Meehan, Martin	ACTON HSG AUTHORITY	-\$39,100
McCreary, Jim	BIENVILLE PARISH POLICE JURY	Meehan, Martin	ANDOVER HSG AUTHORITY	-\$38,959
McCreary, Jim	BOSSIER PARISH POLICE JURY	Meehan, Martin	CONCORD HOUSING AUTHORITY	-\$39,692
McCreary, Jim	CADDO PARISH COMMISSION	Meehan, Martin	TEWKSBURY HOUSING AUTHORITY	-\$14,865
McCreary, Jim	GRANT PARISH HOUSING AUTHORITY	Meehan, Martin	WAYLAND HOUSING AUTHORITY	-\$179,953
McCreary, Jim	KINDER (TOWN OF) SEC. 8 HOUSING AGENCY	Melancon, Charlie	IBERIA PH. GOVERNMENT, SEC. 8 PROGRAM	-\$41,899
McCreary, Jim	MINDEN HOUSING AUTHORITY	Melancon, Charlie	JEANERETTE SECTION 8 HOUSING AGENCY	-\$743
McCreary, Jim	NATCHITOCHES (CITY OF) HSG. AUTHORITY	Melancon, Charlie	LAFOURCHE PH. HOUSING COUNCIL, SEC. 8	-\$94,598
McCreary, Jim	NATCHITOCHES PARISH HSG AUTH	Melancon, Charlie	MORGAN CITY HOUSING AUTHORITY	-\$36,726
McCreary, Jim	SHREVEPORT HSG AUTHORITY	Melancon, Charlie	NEW IBERIA (CITY OF)	-\$25,020
McCreary, Jim	WEBSTER PARISH POLICE JURY	Melancon, Charlie	ST. MARTIN PARISH GOVERNMENT HOUSING	-\$149,985
McGovern, James	ATTLEBORO HSG AUTHORITY	Melancon, Charlie	ST. MARY PARISH SECTION 8 HOUSING	-\$37,313
McGovern, James	HOLLISTON HSG AUTHORITY	Melancon, Charlie	THIBODAUX (CITY) COMM. DEVELOPMENT,	-\$52,797
McGovern, James	MARLBOROUGH COMM DEV AUTHORITY	Merchant, Kenny	GRAND PRAIRIE HSG & COMM DEV.	-\$495,814
McGovern, James	SHREWSBURY HOUSING AUTHORITY	Mica, John	ORMOND BEACH HSG AUTH	-\$62,229
McGovern, James	WORCESTER HOUSING AUTHORITY	Mica, John	VOLUSIA COUNTY SECTION 8	-\$30,146
McHenry, Patrick	HA LINCOLN	Michaud, Michael	AUBURN HSG AUTHORITY	-\$4,440
McHenry, Patrick	WESTERN PIEDMONT COUNCIL OF GOVT	Michaud, Michael	ELLSWORTH HOUSING AUTHORITY	-\$14,745
McHugh, John	BOONVILLE HOUSING AUTHORITY	Michaud, Michael	TREMONT HOUSING AUTHORITY	-\$1,055
McHugh, John	CANASTOTA HOUSING AUTHORITY	Michaud, Michael	VAN BUREN HOUSING AUTHORITY	-\$14,748
McHugh, John	HA OF HARRIETSTOWN	Millender-McDonald, Juanita	CITY OF COMPTON	-\$1,014,320
McHugh, John	HA OF OGDENSBURG	Millender-McDonald, Juanita	CITY OF LONG BEACH HSG AUTH	-\$2,701,640
McHugh, John	VILLAGE OF PHOENIX	Miller, Brad	GREENSBORO HOUSING AUTHORITY	-\$1,018,687
McIntyre, Mike	BRUNSWICK COUNTY PUBLIC HOUSING AGENCY	Miller, Candice	LAPEER HOUSING COMMISSION	-\$68,964
McIntyre, Mike	HA BLADENBORO	Miller, George	CITY OF BENICIA HSG AUTH	-\$3,871
McIntyre, Mike	PENDER COUNTY HOUSING AUTH.	Miller, George	CITY OF PITTSBURG HSG AUTH	-\$1,099,661
McNulty, Michael	HA OF COHOES	Miller, George	CITY OF RICHMOND HSG AUTH	-\$1,441,752
McNulty, Michael	HA OF RENSSELAER	Miller, George	CITY OF VACAVILLE	-\$182,700
McNulty, Michael	HA OF SCHENECTADY	Miller, George	CITY OF VALLEJO	-\$2,822,374
McNulty, Michael	HA OF TROY	Miller, George	COUNTY OF SOLANO HSG AUTH	-\$71,210
McNulty, Michael	HA OF WATERVLIET	Miller, Jeff	CITY OF PENSACOLA SECTION 8	-\$3,655,682
McNulty, Michael	TOWN OF BETHLEHEM	Miller, Jeff	CRESTVIEW HOUSING AUTHORITY	-\$41,778
McNulty, Michael	TOWN OF COEYMANS	Miller, Jeff	HOLMES COUNTY HOUSING AUTHORITY	-\$90,893
McNulty, Michael	TOWN OF COLONIE	Miller, Jeff	WALTON COUNTY HOUSING	-\$71,134
McNulty, Michael	TOWN OF CORINTH	Mitchell, Harry	CITY OF SCOTTSDALE	-\$73,080
McNulty, Michael	TOWN OF DUANESBURG	Mitchell, Harry	CITY OF TEMPE	-\$497,845
McNulty, Michael	TOWN OF GLENVILLE	Mollohan, Alan	HARRISON COUNTY HOUSING AUTHORITY	-\$50,059
McNulty, Michael	TOWN OF HADLEY	Mollohan, Alan	HOUSING AUTHORITY CITY OF KEYSER	-\$64,946
McNulty, Michael	TOWN OF KNOX	Mollohan, Alan	THE CITY OF FAIRMONT HSG AUTH	-\$170,107

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Mollohan, Alan	WEIRTON HOUSING AUTHORITY	Obey, David	-\$197,465	WITTENBERG HOUSING AUTHORITY	-\$7,674
Moore, Dennis	JOHNSON COUNTY HOUSING AUTHORITY	Oliver, John	-\$259,702	ATHOL HSG AUTHORITY	-\$28,544
Moore, Dennis	KANSAS CITY HOUSING AUTHORITY	Oliver, John	-\$2,076,311	FITCHBURG HSG AUTHORITY	-\$65,797
Moore, Gwen	HA OF THE CITY OF MILWAUKEE	Oliver, John	-\$1,363,546	GREENFIELD HSG AUTHORITY	-\$188,446
Moran, James	ALEXANDRIA REDEVELOPMENT & H/A	Oliver, John	-\$621,339	LEOMINSTER HSG AUTHORITY	-\$120,164
Moran, James	ARLINGTON CO DEPT OF HUMAN SERVICES	Oliver, John	-\$1,574,753	PITTSFIELD HOUSING AUTHORITY	-\$239,608
	ELLIS COUNTY C/O DEVELOPMENTAL SERVICES				
	OF NW KS				
Moran, Jerry	GREAT BEND HOUSING AUTHORITY	Oliver, John	-\$43,702	STOCKBRIDGE HSG AUTHORITY	-\$727
Moran, Jerry	HSG AUTH CITY OF HUTCHINSON KS	Oliver, John	-\$21,310	WARE HSG AUTHORITY	-\$122,184
Moran, Jerry	JUNCTION CITY PUBLIC HOUSING AGENCY	Oliver, John	-\$39,698	WINCHENDON HOUSING AUTHORITY	-\$3,851
Moran, Jerry	SALINA HOUSING AUTHORITY	Ortiz, Solomon	-\$26,871	CORPUS CHRISTI HOUSING AUTHORITY	-\$477,019
Murphy, Christopher	CANTON HOUSING AUTHORITY	Ortiz, Solomon	-\$63,726	GREGORY HSG AUTHORITY	-\$56,166
Murphy, Christopher	DANBURY HOUSING AUTHORITY	Ortiz, Solomon	-\$13,893	LOS FRESNOS HSG AUTHORITY	-\$25,302
Murphy, Christopher	FARMINGTON H A	Ortiz, Solomon	-\$621,071	WILLACY COUNTY HSG AUTHORITY	-\$20,255
Murphy, Christopher	TORRINGTON HOUSING AUTHORITY	Pallone, Frank	-\$16,271	ASBURY PARK HOUSING AUTHORITY	-\$73,675
Murphy, Christopher	WATERBURY HOUSING AUTHORITY	Pallone, Frank	-\$90,533	FRANKLIN TOWNSHIP HOUSING AUTHORITY	-\$10,256
Murphy, Christopher	ARMSTRONG COUNTY HOUSING AUTHORITY	Pallone, Frank	-\$767,962	HIGHLAND PARK HOUSING AUTHORITY	-\$25,975
Murtha, John	FAYETTE COUNTY HOUSING AUTHORITY	Pallone, Frank	-\$108,946	NEPTUNE HOUSING AUTHORITY	-\$20,368
Murtha, John	JOHNSTOWN HOUSING AUTHORITY	Pallone, Frank	-\$212,440	NEW BRUNSWICK HA	-\$581,869
Murtha, John	SOMERSET COUNTY HOUSING AUTHORITY	Pascarelli, Bill	-\$176,538	BLOOMFIELD HOUSING AUTHORITY	-\$81,434
Murthy, John	HA OF THE CITY OF CHARLOTTE	Pascarelli, Bill	-\$33,487	CLIFTON HOUSING AUTHORITY	-\$305,028
Myrick, Sue Wilkins	NEW YORK CITY HOUSING AUTHORITY	Pascarelli, Bill	-\$1,252,729	PATERSON DCD HOUSING AUTHORITY	-\$1,486,493
Nadler, Jerrold	CITY OF PICO RIVERA	Pascarelli, Bill	-\$54,489,034	PATERSON HOUSING AUTHORITY	-\$480,033
Napolitano, Grace	NORWALK HOUSING AUTHORITY	Pastor, Ed	-\$252,468	MARICOPA COUNTY HSG AUTH	-\$299,765
Napolitano, Grace	BELLINGHAM HSG AUTHORITY	Paul, Ron	-\$23,061	BAY CITY HOUSING AUTHORITY	-\$97,675
Neal, Richard	MILFORD HOUSING AUTHORITY	Paul, Ron	-\$1,916	BRAZORIA COUNTY HOUSING AUTHORITY	-\$276,515
Neal, Richard	OXFORD H A	Paul, Ron	-\$33,889	EDNA HOUSING AUTHORITY	-\$16,259
Neal, Richard	WARREN HSG AUTHORITY	Paul, Ron	-\$67,923	LA MARQUE, CITY OF	-\$91,286
Neal, Richard	WEBSTER HOUSING AUTHORITY	Paul, Ron	-\$32,750	PORT LAVACA HOUSING AUTHORITY	-\$9,289
Neugebauer, Randy	CISCO HOUSING AUTHORITY	Paul, Ron	-\$17,825	TEXAS CITY HSG AUTHORITY	-\$175,136
Neugebauer, Randy	HALE COUNTY HOUSING AUTHORITY	Paul, Ron	-\$17,554	VICTORIA HOUSING AUTHORITY	-\$57,252
Neugebauer, Randy	HOUSING AUTHORITY OF BRECKENRIDGE	Payne, Donald	-\$24,487	ORANGE CITY HOUSING AUTHORITY	-\$26,143
Neugebauer, Randy	HOUSING AUTHORITY OF FLOYDADA	Payne, Donald	-\$38,884	UNION TOWNSHIP HOUSING AUTHORITY	-\$65,993
Neugebauer, Randy	HOUSING AUTHORITY OF LUBBOCK	Pearce, Stevan	-\$58,489	DONA ANA HSG AUTHORITY	-\$158,355
Neugebauer, Randy	HOUSING AUTHORITY OF MERKEL	Pearce, Stevan	-\$247,145	LAS CRUCES HSG AUTHORITY	-\$272,428
Neugebauer, Randy	HOUSING AUTHORITY OF SLATON	Pearce, Stevan	-\$9,407	LOS LUNAS (VILLAGE OF) HSG AUTH	-\$43,596
Neugebauer, Randy	SOUTH PLAINS REGIONAL HSG AUTH	Pearce, Stevan	-\$12,737	REGION V HOUSING AUTHORITY	-\$415,836
Neugebauer, Randy	ATKIN COUNTY HRA	Pearce, Stevan	-\$307,343	TRUTH OR CONSEQUENCES HSG AUTHORITY	-\$40,717
Oberstar, James	CASS COUNTY HRA	Pelosi, Nancy	-\$24,263	SAN FRANCISCO HSG AUTH	-\$1,361,959
Oberstar, James	MORA HRA	Pence, Mike	-\$20,090	ANDERSON HA	-\$349,086
Oberstar, James	BURNETT CTY HA	Pence, Mike	-\$32,231	FAYETTE COUNTY HA	-\$180,094
Obey, David	PORTAGE COUNTY HA	Perlmutter, Ed	-\$9,394	ADAMS COUNTY HOUSING AUTHORITY	-\$336,400
Obey, David	STEVENS POINT HA	Perlmutter, Ed	-\$24,120	ARVADA HOUSING AUTHORITY	-\$41,481
Obey, David	WISCONSIN RAPIDS HA	Peterson, Collin	-\$6,885	BECKER COUNTY HRA	-\$67,391
Obey, David		Peterson, Collin	-\$17,181	BIG STONE COUNTY HRA	-\$6,706

Peterson, Colin	CLEARWATER COUNTY HRA	-21,801	Pomeroy, Earl	STUTSMAN COUNTY HOUSING AUTHORITY	-\$59,114
Peterson, Collin	FERGUS FALLS HRA	-10,826	Pomeroy, Earl	TOWNER COUNTY HOUSING AUTHORITY	-\$3,878
Peterson, Collin	GRANT COUNTY HRA	-2,883	Price, David	ORANGE COUNTY	-\$36,776
Peterson, Collin	KANDYOH COUNTY HRA	-172	Pryce, Deborah	COLUMBUS METRO. HA	-\$2,216,654
Peterson, Collin	MCLEOD COUNTY HRA	-31,067	Putnam, Adam	CITY OF HAINES CITY	-\$5,744
Peterson, Collin	MEEKER COUNTY HRA	-14,056	Putnam, Adam	CITY OF LAKE LAND H/A	-\$247,975
Peterson, Collin	MOORHEAD PUBLIC HOUSING AGENCY	-31,474	Putnam, Adam	HA BARTOW	-\$16,354
Peterson, Collin	NW MN MUL TI-COUNTY HRA	-137,585	Putnam, Adam	HA LAKE WALES	-\$168,786
Peterson, Collin	OTTER TAIL COUNTY HRA	-22,583	Putnam, Adam	HA PLANT CITY	-\$82,602
Peterson, Collin	STEVENS COUNTY HRA	-22,325	Putnam, Adam	HA PUNTA GORDA	-\$954,785
Peterson, Collin	YELLOW MEDICINE COUNTY HRA	-23,663	Putnam, Adam	HA WINTER HAVEN	-\$37,354
Peterson, John	BRADFORD COUNTY HOUSING AUTHORITY	-19,777	Rahall, Nick	HOUSING AUTHORITY CITY OF BLUEFIELD	-\$149,049
Peterson, John	CLARION COUNTY HOUSING AUTHORITY	-3,355	Rahall, Nick	HOUSING AUTHORITY OF MINGO COUNTY	-\$178,441
Peterson, John	ELK COUNTY HOUSING AUTHORITY	-78,227	Rahall, Nick	HUNTINGTON WV HOUSING AUTHORITY	-\$317,670
Peterson, John	MCKEAN COUNTY HOUSING AUTHORITY	-6,482	Regula, Ralph	WAYNE MHA	-\$267,992
Peterson, John	OIL CITY HOUSING AUTHORITY	-2,238	Rehberg, Dennis	BUTTE HOUSING AUTHORITY	-\$18,851
Peterson, John	TIOGA COUNTY HOUSING AUTHORITY	-10,431	Rehberg, Dennis	GREAT FALLS HOUSING AUTHORITY	-\$138,541
Peterson, John	TITUSVILLE HOUSING AUTHORITY	-3,521	Rehberg, Dennis	HELENA HOUSING AUTHORITY	-\$182,021
Peterson, John	VENANGO COUNTY HOUSING AUTHORITY	-262,872	Rehberg, Dennis	MT DEPARTMENT OF COMMERCE	-\$976,460
Petri, Thomas	OSHKOSH HA	-47,968	Rehberg, Dennis	RICHLAND COUNTY HOUSING AUTHORITY	-\$3,560
Petri, Thomas	OSHKOSHWINNEBAGO COUNTY HA	-67,038	Rehberg, Dennis	WHITEFISH HOUSING AUTHORITY	-\$11,880
Pickering, Charles	HA MISSISSIPPI REGIONAL NO 7	-242,795	Reichert, David	HA OF THE CITY OF RENTON	-\$93,150
Pitts, Joseph	LANCASTER COUNTY HOUSING AUTHORITY	-141,093	Renzi, Rick	CITY OF ELOY	-\$59,772
Platts, Todd Russell	ADAMS COUNTY HOUSING AUTHORITY	-153,645	Renzi, Rick	CITY OF FLAGSTAFF HOUSING AUTHORITY	-\$21,221
Platts, Todd Russell	YORK CITY HOUSING AUTHORITY	-228,681	Renzi, Rick	PINAL COUNTY HOUSING AUTHORITY	-\$459,056
Poe, Ted	HOUSING AUTHORITY OF BEAUMONT	-916,421	Renzi, Rick	WILLIAMS HOUSING AUTHORITY	-\$34,682
Poe, Ted	HOUSING AUTHORITY OF PORT ARTHUR	-2,355,267	Renzi, Rick	WINSLOW HOUSING AUTHORITY	-\$11,916
Poe, Ted	SAN BENITO HSG AUTHORITY	-334,555	Reyes, Silvestre	HOUSING AUTHORITY OF ANTHONY	-\$237,704
Pomeroy, Earl	BENSON COUNTY HOUSING AUTHORITY	-25,232	Reyes, Silvestre	HOUSING AUTHORITY OF EL PASO	-\$2,050,610
Pomeroy, Earl	CAVALIER COUNTY HOUSING AUTHORITY	-19,939	Reynolds, Thomas	HA OF LOCKPORT	-\$576,816
Pomeroy, Earl	DICKEY/SARGENT HOUSING AUTHORITY	-7,737	Rodgers, Cathy McMorris	HOUSING AUTHORITY OF ASOTIN COUNTY	-\$14,946
Pomeroy, Earl	DUNN COUNTY HOUSING AUTHORITY	-21,923	Rodgers, Cathy McMorris	HOUSING AUTHORITY OF THE CITY OF WALLA	-\$65,051
Pomeroy, Earl	EDDY COUNTY HOUSING AUTHORITY	-17,694	Rodgers, Cathy McMorris	SPOKANE HOUSING AUTHORITY	-\$38,664
Pomeroy, Earl	EMMONS COUNTY HOUSING AUTHORITY	-3,033	Rodriguez, Ciró	DEVINE HOUSING AUTHORITY	-\$515
Pomeroy, Earl	FARGO HOUSING AND REDEVELOPMENT AUTHORITY	-135,240	Rodriguez, Ciró	HOUSING AUTHORITY OF ALPINE	-\$176,309
Pomeroy, Earl	GRAND FORKS HOUSING AUTHORITY	-632,272	Rodriguez, Ciró	HOUSING AUTHORITY OF MARFA	-\$11,287
Pomeroy, Earl	HOUSING AUTHORITY OF CASS COUNTY	-95,061	Rodriguez, Ciró	UVALDE HOUSING AUTHORITY	-\$6,623
Pomeroy, Earl	HOUSING AUTHORITY OF THE CITY OF COOPERSTOWN	-11,862	Rogers, Harold	CUMBERLAND VALLEY HOUSING AUTHORITY	-\$422,780
Pomeroy, Earl	MCKENZIE COUNTY HOUSING AUTHORITY	-17,801	Rogers, Harold	LAUREL COUNTY HOUSING AUTHORITY	-\$2,305
Pomeroy, Earl	MERCER COUNTY HOUSING AUTHORITY	-8,820	Rogers, Harold	LAWRENCE COUNTY HOUSING AUTHORITY	-\$7,148
Pomeroy, Earl	RICHLAND COUNTY HOUSING AUTHORITY	-17,853	Rogers, Harold	PIKE COUNTY HOUSING AUTHORITY	-\$66,887
Pomeroy, Earl	ROLETTE COUNTY HOUSING AUTHORITY	-12,138	Rogers, Harold	PIKEVILLE HOUSING AUTHORITY	-\$60,506
Pomeroy, Earl	STARK COUNTY HOUSING AUTHORITY	-204,010	Rogers, Mike	HA AUBURN	-\$169,752



Rogers, Mike	HA JACKSONVILLE	Sanchez, Linda	CITY OF SOUTH GATE	-\$236,286
Rogers, Mike	HA LINEVILLE	Sanchez, Loretta	CITY OF SANTA ANA HSG AUTH	-\$844,190
Rogers, Mike	HA OPELIKA	Sarbanes, John	HOUSING AUTHORITY OF THE CITY OF	-\$222,793
Rogers, Mike	HA PHENIX CITY	Saxton, Jim	BERKELEY HOUSING AUTHORITY	-\$13,681
Roskam, Peter	DUPAGE COUNTY HOUSING AUTHORITY	Schiff, Adam	CITY OF BURBANK HOUSING AUTHORITY	-\$111,448
	CITY OF MIAMI, DEPT. OF COMMUNITY		CITY OF PASADENA COMMUNITY	
	DEVELOPMENT	Schiff, Adam	DEVELOPMENT COMMISSION	-\$157,998
Ros-Lehtinen, Ileana	HA MIAMI BEACH	Schmidt, Jean	ADAMS MET HA	-\$50,236
Ros-Lehtinen, Ileana	KEY WEST H/A	Schultz, Debbie Wasserman	BROWARD COUNTY HOUSING AUTHORITY	-\$259,995
Ros-Lehtinen, Ileana	MIAMI DADE HOUSING AUTHORITY	Schultz, Debbie Wasserman	DANIA HA	-\$124,052
Ros-Lehtinen, Ileana	MONROE CO HA	Scott, Robert	HAMPTON REDEVELOPEMENT & HSG AUTH	-\$972,943
Ross, Mike	ASHLEY COUNTY HOUSING AUTHORITY	Scott, Robert	NEWPORT NEWS REDEVELOPMENT & HA	-\$595,813
Ross, Mike	CALHOUN COUNTY PUBLIC HOUSING AGENCY	Scott, Robert	NORFOLK REDEVELOPMENT & H/A	-\$3,168,068
Ross, Mike	DALLAS COUNTY PUBLIC HOUSING AGENCY	Scott, Robert	PORTSMOUTH REDEVELOPMENT & H/A	-\$3,585,497
Ross, Mike	HOUSING AUTHORITY OF STAR CITY	Scott, Robert	RICHMOND REDEVELOPMENT & H/A	-\$1,343,365
Ross, Mike	HOUSING AUTHORITY OF TEXARKANA	Scott, Robert	VIRGINIA HOUSING DEVELOPMENT AUTHORITY	-\$3,108,957
Ross, Mike	HOUSING AUTHORITY OF THE CITY OF PINE BLUFF	Sensenbrenner, James	HARTFORD CDA	-\$20,469
Ross, Mike	HOWARD COUNTY PUBLIC HOUSING AGENCY	Sestak, Joe	DELAWARE COUNTY HOUSING AUTHORITY	-\$1,208,267
Ross, Mike	HSG AUTHORITY OF THE CITY OF HOT SPRINGS	Shays, Christopher	BRIDGEPORT HOUSING AUTHORITY	-\$856,741
Ross, Mike	MCGEEHEE PUBLIC RESIDENTIAL FACILITIES BOARD	Shays, Christopher	FAIRFIELD HSG AUTHORITY	-\$150,778
Ross, Mike	POLK COUNTY HOUSING AUTHORITY	Shays, Christopher	GREENWICH HOUSING AUTHORITY	-\$265,360
Ross, Mike	SEVIER COUNTY PUBLIC HOUSING AGENCY	Shays, Christopher	NORWALK HOUSING AUTHORITY	-\$128,866
Ross, Mike	UNION CO.	Shays, Christopher	STAMFORD HOUSING AUTHORITY	-\$2,567,891
Rothman, Steven	EDGEWATER HOUSING AUTHORITY	Shea-Porter, Carol	PORTSMOUTH HOUSING AUTHORITY	-\$2,056
Rothman, Steven	ENGLEWOOD HOUSING AUTHORITY	Shinkus, John	HOUSING AUTHORITY OF THE COUNTY OF	-\$20,497
Rothman, Steven	FORT LEE HOUSING AUTHORITY	Shinkus, John	HSG AUTHORITY OF THE COUNTY OF SHELBY	-\$9,372
Rothman, Steven	SECAUCUS HOUSING AUTHORITY	Shinkus, John	RICHLAND HA	-\$23,792
Ryan, Paul	RACINE COUNTY HA	Shuler, Heath	MACON PROGRAM FOR PROGRESS	-\$2,954
Ryan, Paul	WALWORTH COUNTY HA	Shuler, Heath	WESTERN CAROLINA COMM ACTION	-\$82,385
Ryan, Tim	TRUMBULL MHA	Shuster, Bill	FRANKLIN CITY HOUSING AUTHORITY	-\$22,432
Ryan, Tim	YOUNGSTOWN MHA	Shuster, Bill	FULTON COUNTY HOUSING AUTHORITY	-\$5,732
Salazar, John	ARCHULETA COUNTY HOUSING AUTHORITY	Shuster, Bill	HUNTINGDON COUNTY HOUSING AUTHORITY	-\$20,798
Salazar, John	CENTER HSG AUTH	Shuster, Bill	LUZERNE COUNTY HOUSING AUTHORITY	-\$143,427
Salazar, John	GARFIELD COUNTY HOUSING AUTHORITY	Simpson, Michael	ADA COUNTY HOUSING AUTHORITY	-\$279,014
	HOUSING AUTHORITY OF THE COUNTY OF			
Salazar, John	MONTEZUMA	Simpson, Michael	BOISE CITY HOUSING AUTHORITY	-\$76,980
Salazar, John	HSG AUTH OF TRINIDAD	Simpson, Michael	IDAHO HOUSING AND FINANCE ASSOCIATION	-\$40,896
Salazar, John	ROCKY FORD HOUSING AUTHORITY	Simpson, Michael	SOUTHWESTERN IDAHO COOPERATIVE	
Salazar, John	CITY OF HAWAIIAN GARDENS HSG AUTH	Sires, Albio	HOUSING AUTHORITY	-\$107,882
Sanchez, Linda	CITY OF PARAMOUNT HOUSING AUTHORITY	Sires, Albio	BAYONNE HOUSING AUTHORITY	-\$98,143
Sanchez, Linda		Sires, Albio	GUTTENBERG HOUSING AUTHORITY	-\$19,618
		Sires, Albio	HOBOKEN HOUSING AUTHORITY	-\$151,184

Sires, Abio	JERSEY CITY HOUSING AUTHORITY	Stupak, Bart	MARQUETTE HOUSING COMMISSION	-\$1,730,612
Sires, Abio	NEWARK HOUSING AUTHORITY	Stupak, Bart	MENOMINEE HOUSING COMMISSION	-\$1,452,191
Sires, Abio	NORTH BERGEN HOUSING AUTHORITY	Stupak, Bart	SAULT STE MARIE HSG. COMM.	-\$223,520
Sires, Abio	PERTH AMBOY HOUSING AUTHORITY	Sullivan, John	TULSA HOUSING AUTHORITY	-\$728,029
Sires, Abio	WEEHAWKEN HOUSING AUTHORITY	Sutton, Betty	AKRON MHA	-\$124,250
Skelton, Ike	JEFFERSON CITY HOUSING AUTHORITY	Tauscher, Ellen	CITY OF FAIRFIELD	-\$51,369
Skelton, Ike	MARSHALL HOUSING AUTHORITY	Tauscher, Ellen	SUISUN CITY HOUSING AUTHORITY	-\$8,843
Skelton, Ike	NEVADA HOUSING AUTHORITY	Terry, Lee	OMAHA HOUSING AUTHORITY	-\$4,576
Skelton, Ike	PHA OF THE COUNTY OF RAY	Thompson, Bennie	HSG AUTH CITY OF GREENWOOD MS	-\$130,741
Skelton, Ike	RICHMOND HOUSING AUTHORITY	Thompson, Bennie	NORTH DELTA REG HSG AUTH	-\$114,695
Slaughter, Louise	CITY OF NIAGARA FALLS	Thompson, Mike	MENDOCINO COUNTY	-\$19,064
Slaughter, Louise	CITY OF NORTH TONAWANDA	Thompson, Mike	YOLO COUNTY HSG AUTHORITY	-\$119,788
Slaughter, Louise	HA OF ROCHESTER	Thornberry, Mac	ELECTRA HOUSING AUTHORITY	-\$1,026,717
Smith, Adrian	CENTRAL NEBRASKA JOINT HSG AUTH	Thornberry, Mac	HOUSING AUTHORITY OF HASKELL	-\$2,846
Smith, Adrian	CHADRON HOUSING AUTHORITY	Thornberry, Mac	HOUSING AUTHORITY OF MINERAL WELLS	-\$5,063
Smith, Adrian	GOTHENBURG HOUSING AUTHORITY	Thornberry, Mac	HOUSING AUTHORITY OF QUANAH	-\$3,273
Smith, Adrian	HA SOUTH DELTA	Thornberry, Mac	HOUSING AUTHORITY OF STAMFORD	-\$854,303
Smith, Adrian	HALL COUNTY HOUSING AUTHORITY	Thornberry, Mac	HOUSING AUTHORITY OF TULIA	-\$73,667
Smith, Adrian	HASTINGS HOUSING AUTHORITY	Thornberry, Mac	WICHITA FALLS HOUSING ASSISTANCE	-\$364,802
Smith, Adrian	MCCOOK HOUSING AUTHORITY	Tiaht, Todd	COWLEY COUNTY PUBLIC HOUSING	-\$1,427
Smith, Adrian	WEST CENTRAL HOUSING AUTHORITY	Tiaht, Todd	NEWTON HOUSING AUTHORITY	-\$10,713
Smith, Adrian	YORK HSG AUTHORITY	Tiaht, Todd	WICHITA HOUSING AUTHORITY	-\$29,518
Smith, Christopher	LAKESWOOD HOUSING AUTHORITY	Tierney, John	AMESBURY HSG AUTHORITY	-\$185,237
Snyder, Vic	CONWAY COUNTY HOUSING AUTH	Tierney, John	BURLINGTON HSG AUTHORITY	-\$82,890
	HOUSING AUTHORITY OF THE CITY OF LITTLE ROCK			
Snyder, Vic	HSG AUTHORITY OF THE COUNTY OF LONOKE	Tierney, John	IPSWICH HSG AUTHORITY	-\$98,434
Snyder, Vic	PULASKI COUNTY HOUSING AGENCY	Tierney, John	MERRIMAC HSG AUTHORITY	-\$86,932
Solis, Hilda	CITY OF BALDWIN PARK HOUSING AUTH	Tierney, John	NEWBURYPORT HOUSING AUTHORITY	-\$259,926
Solis, Hilda	COUNTY OF LOS ANGELES HOUSING AUTH.	Tierney, John	NORTH READING HSG AUTHORITY	-\$618,786
Souder, Mark	FORT WAYNE HA-CITY OF FORT WAYNE	Tierney, John	READING HSG AUTHORITY	-\$24,640,103
Souder, Mark	WARSAW HOUSING AUTHORITY	Tierney, John	SAUGUS HSG AUTHORITY	-\$2,583,322
Space, Zachary	CHILLICOTHE MET HA	Tierney, John	WILMINGTON HSG AUTHORITY	-\$52,800
Space, Zachary	COSHOCOTON MET HSG AUTH	Turner, Michael	CLINTON METROPOLITAN HOUSING AUTH.	-\$52,597
Space, Zachary	HARRISON MHA	Udall, Mark	COLORADO SPRINGS HOUSING AUTHORITY	-\$18,915
Space, Zachary	NOBLE METROPOLITAN HA	Udall, Tom	CUBA (VILLAGE OF) HOUSING AUTHORITY	-\$16,032
Space, Zachary	ZANESVILLE MET HA	Udall, Tom	GALLUP HSG AUTHORITY	-\$28,238
Spratt, John	HA CHESTER	Udall, Tom	HSG AUTH CITY OF ESPANOLA	-\$78,939
Spratt, John	HA DARLINGTON	Udall, Tom	MORA COUNTY HSG AUTHORITY	-\$58,033
Spratt, John	HA FORT MILL	Udall, Tom	REGION II HOUSING AUTHORITY	-\$6,144
Spratt, John	HA HARTSVILLE	Udall, Tom	SAN JUAN COUNTY HSG AUTHORITY	-\$9,153
Spratt, John	HA NEWBERRY	Udall, Tom	SANTA FE CIVIC HOUSING AUTHORITY	-\$84,394
Stark, Fortney Pete	CITY OF ALAMEDA HOUSING AUTHORITY	Udall, Tom	TUCUMCARI HOUSING AUTHORITY	-\$74,769
Stupak, Bart	BARAGA HOUSING COMMISSION	Upton, Fred	BENTON HARBOR HSG. COMM.	-\$1,795,123
Stupak, Bart	MANISTIQUE HSG. COMM.	Upton, Fred	BENTON TOWNSHIP. HSG. COMM.	-\$9,569
		Upton, Fred	DOWAGIAC HOUSING COMMISSION	-\$16,680

Vacant	HA AUGUSTA	Whitfield, Ed	-\$1,203,679	MADISONVILLE HOUSING AUTHORITY	-\$69,996
Vacant	MARIANA ISLANDS HOUSING CORP.	Whitfield, Ed	-\$494,088	MAYFIELD HOUSING AUTHORITY	-\$109,990
Visclosky, Peter	EAST CHICAGO HA	Whitfield, Ed	-\$511,573	PADUCAH HOUSING AUTHORITY	-\$241,818
Visclosky, Peter	GARY HA	Wilson, Charles	-\$511,618	BELMONT METRO HSG AUTHORITY	-\$12,229
Walberg, Timothy	BATTLE CREEK HSG. COMM.	Wilson, Charles	-\$168,358	CITY OF MARIETTA	-\$14,331
Walberg, Timothy	POTTERVILLE HOUSING COMMISSION	Wilson, Charles	-\$31,499	GALLIA METRO HA	-\$41,336
	HOUSING AUTHORITY OF THE COUNTY OF				
	UMATILLA	Wilson, Charles	-\$6,003	JEFFERSON MHA	-\$84,996
Walden, Greg					
Walden, Greg	JOSEPHINE HOUSING COMMUNITY DEV. COUNCIL	Wilson, Heather	-\$405,631	BERNALILLO (TOWN OF) HSG AUTH	-\$15,076
Walden, Greg	KLAMATH HOUSING AUTHORITY	Wilson, Heather	-\$77,345	MOUNTAINAIR HOUSING AUTHORITY	-\$124,321
Walsh, James	HOUSING AUTHORITY OF NORTH SYRACUSE	Wolf, Frank	-\$137,710	LOUDOUN COUNTY HOUSING SERVICES	-\$244,269
Walsh, James	NEWARK HOUSING AUTHORITY	Wu, David	-\$49,492	HOUSING AUTHORITY OF WASHINGTON	-\$507,871
Walz, Timothy	ALBERT LEA HRA	Wu, David	-\$109,764	HOUSING AUTHORITY OF YAMHILL COUNTY	-\$260,478
Walz, Timothy	AUSTIN HRA	Wu, David	-\$35,540	NORTHWEST OREGON HOUSING AGENCY	-\$277,975
Walz, Timothy	FARIBAUT COUNTY HRA	Young, Don	-\$11,164	AK HSG FINANCE CORP	-\$881,598
Walz, Timothy	LE SUEUR COUNTY HRA		-\$72,636		
Walz, Timothy	MOWER COUNTY HRA		-\$27,519		
Walz, Timothy	NEW ULM EDA		-\$11,850		
Walz, Timothy	OLMSTED COUNTY HRA		-\$40,815		
Walz, Timothy	OWATONNA HRA		-\$74,851		
Walz, Timothy	PIPESTONE HRA		-\$3,921		
Walz, Timothy	WORTHINGTON HRA		-\$116,679		
Wamp, Zach	CHATTANOOGA H/A		-\$2,512,956		
Wamp, Zach	HA DAYTON		-\$77,797		
Wamp, Zach	HA OAK RIDGE		-\$39,711		
Waters, Maxine	CITY OF INGLEWOOD		-\$778,548		
Watson, Diane	CULVER CITY PUBLIC HOUSING AGENCY		-\$475,256		
Watt, Melvin	TOWN OF EAST SPENCER HOUSING AUTHORITY		-\$13,070		
Watt, Melvin	HA THOMASVILLE		-\$20,656		
Watt, Melvin	HA WINSTON-SALEM		-\$240,415		
Watt, Melvin	NORTHWEST PIEMONT CO OF GOV		-\$144,518		
Waxman, Henry	CITY OF SANTA MONICA		-\$392,943		
Welch, Peter	BRATTLEBORO HOUSING AUTHORITY		-\$57,605		
Welch, Peter	HARTFORD HOUSING AUTHORITY		-\$10,087		
Welch, Peter	SPRINGFIELD HOUSING AUTHORITY		-\$4,065		
Weldon, Dave	HOUSING & NEIGHBORHOOD DEVELOP		-\$39,176		
Weldon, Dave	NW FLORIDA REGIONAL HA		-\$403,073		
Weller, Jerry	HA BLOOMINGTON		-\$1,314		
Weller, Jerry	HOUSING AUTHORITY OF JOLIET		-\$1,111,858		
Weller, Jerry	HSG AUTHORITY FOR LASALLE COUNTY		-\$56,319		
Weller, Jerry	KANKAKEE COUNTY HOUSING AUTHORITY		-\$404,193		
Weller, Jerry	H A CARROLLTON		-\$17,498		
Westmoreland, Lynn	HOUSING AUTHORITY OF NEWMAN		-\$7,329		
Westmoreland, Lynn	LAKE CUMBERLAND HOUSING AUTHORITY		-\$140,728		
Whitfield, Ed					

3/22/2007

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I thank Mr. OBEY for yielding.

I have been against this war since day one, and I am outraged by the President's attempts to escalate it. I want this war to end now, and I want to bring our troops home immediately.

I mourn the loss of 3,228 Americans dead, and countless Iraqi civilians, and extend my deepest sympathies to the families. I repeat, I want this war to end, and I want to bring the troops home now.

Whether we like it or not, this bill before us is the first serious binding legislation to come before the House since the war began 4 years ago. This bill contains benchmarks and time lines for withdrawing our troops.

Even so, in my opinion, this bill does not go far enough. I think it should prohibit U.S. military action in Iran without explicit congressional authorization. But without this bill, the alternative is not acceptable. A supplemental without benchmarks is stay the course.

I have received thousands of letters from my district in support and opposition to this bill. The only way to bring the troops home is to vote "yes." I encourage my colleagues to do the same.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, 1 month ago, we gathered in this Chamber to debate what was called a symbolic resolution on the war in Iraq. I never subscribed to the notion it was symbolic because I believe any official act of this body has consequences. When Members speak, the world listens, friends and enemies alike.

Two weeks ago after that vote, I traveled again to Iraq and Afghanistan to observe conditions in these two fronts on the global war on terror and to meet again with our soldiers. I was the only Republican on the trip, but I view opportunities like these to travel to war zones with colleagues from the other side of the aisle as invaluable.

We all saw that the plans to stabilize Baghdad by reinforcing U.S. troops and integrating them with larger Iraqi units around the city are already under way. Our military commanders in Iraq are already executing their plans to clear, hold, and build; and early reports point towards some progress.

And yet tomorrow, in fact, we vote on a bill, portions of which could potentially affect the safety of our brave young soldiers in Iraq, the lives of millions of Iraqis, and damage our national interest in the Middle East and elsewhere. That is why I oppose this bill in its current form.

Every Member of this House, Republican and Democrat alike, should be working together to achieve some level of success in Iraq and to give our soldiers the dollars they need. We should not be tying the hands of our battle-

field commanders, nor undercutting our brave soldiers and marines as they work to secure the peace as we debate here this afternoon and tomorrow.

Make no mistake about it, withdrawal from Iraq before that peace is better secured will have wide and important ramifications. We could potentially have an explosion of sectarian violence in Iraq, killing and bloodshed on a larger, more barbaric scale. Al Qaeda and other jihadists could get a new and more dangerous base of operations. The influence of Iran would grow. The Saudis and moderate Arab states themselves could be threatened. Turkey, a strong NATO ally, could be drawn into the war. And Iraq's neighbors could see even more waves of refugees.

Mr. Speaker, we are a Nation at war, and the stakes are extremely high for America. Our troops need this money now. They deserved it yesterday. But the Congress has decided to make them compete with nonmilitary, non-emergency, politically motivated spending.

We must give our commanders on the battlefield, and our brave young war fighters, the resources they need to protect themselves and fight the enemy.

Mr. Speaker, I urge my colleagues to join together to honor the service of these young men and women and to find a way forward in Iraq that protects our Nation and results in a stable Iraq that can govern and protect itself.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, by refusing to take responsibility for their failed policy in Iraq, the Bush administration has effectively forced Congress to intervene to bring it to a responsible end.

Speaker PELOSI, Chairman OBEY, Majority Whip CLYBURN, Chairman MURTHA and the Democratic leadership do deserve credit for recognizing this and for doing something that the Republican Congress refused to do over the last 4 years, namely, that is to confront the Bush administration over their failed policy and to commit to bring that policy to an end in Iraq.

But that is a very important step. However, for some of us the question of voting for funds to continue this war with strings attached and no real enforcement really does keep our troops in harm's way. I am disappointed we will not have the opportunity to vote on the Lee-Woolsey-Waters-Watson amendment which would fully fund the safe withdrawal of U.S. troops and contractors by December 31, 2007.

□ 1730

The American people want this, and I will continue to push to fully fund the safe withdrawal of our troops from Iraq and for timelines for withdrawal that are backed up, mind you, backed up by the appropriations power, and that is the power of the purse which the Constitution grants to the Congress. Too

many lives have been lost, too many lives have been shattered.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER), a member of our committee.

Mr. WICKER. Mr. Speaker, we should be standing together today in bipartisan support for our troops and for the resources they need to be successful in Iraq and the global war on terror. Instead, we have a proposal before us today that micromanages the war from Capitol Hill with ill-advised timelines for withdrawal that jeopardize our chances for success.

This plan is an unruly mess, bad public policy, bad precedent and bad politics. Those are not my words. They come from a Los Angeles Times editorial. The Times is right on target. The editorial goes on to say that by interfering with the discretion of the Commander in Chief and military leaders, "Congress undermines whatever prospects remain of a successful outcome."

The L.A. Times is a lot like most American people. They are unhappy with the war. They are unhappy with the way it has been waged, but they still want to give our generals and our troops the best chance for success. That is in stark contrast to the defeatism we see in this proposal today.

Some of our colleagues on the Democratic side of the aisle have quoted approvingly from the bipartisan Iraq Study Group. Here is a quote they have not used: "The Study Group sets no timetables, and we set no guidelines. We believe that military commanders must have the flexibility to respond to events on the ground."

The National Intelligence Estimate carries a strong warning against an early troop pullout. It said, "If coalition forces were withdrawn rapidly during the term of this estimate, we judge that this would almost certainly lead to a significant increase in the scale and scope of sectarian conflict in Iraq."

Despite these cautions, the proponents of this legislation are intent on taking us down a path that would lead to failure and defeat. Setting a date certain for withdrawing from Iraq is a dangerous idea. Our enemies will simply adjust their tactics and wait us out. The consequences of such a withdrawal will be far-reaching. It would signal defeat for the United States and embolden the terrorists in Iraq and throughout the world. It would enable Iraq to establish a beachhead in Iraq from which to operate, and it would be a catastrophe for the people of Iraq and the region.

There are signs that the new strategy is taking hold in Iraq. General Petraeus believes it will work, and he has our coalition forces engaged fully in this effort to succeed. It would be a grave and irresponsible mistake to undercut our soldiers by passing this measure before the strategy has time to be implemented.

The message we send here today should not be one to the terrorists to bide their time and wait for the U.S. to pull out. The message should be one of complete and total support for our troops and for an appropriation of the resources they need to succeed.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Speaker, let me say to the Members what hurts our troops.

I found our troops, 44,000, without body armor. I found our troops with a shortage of jammers. I found our troops with a shortage of up-armored Humvees. I find our troops now, because of the policy, having to go back to Iraq before they have a year at home. I find our troops now because of the policy of this White House having to extend troops that have been there 13 months, and I find our troops having to go into combat untrained or not trained as well as they should, not going to the desert where they have this tremendous training area, going right into Iraq.

That is what hurts our troops. That is what hurts the morale of the troops when you send them without training, without the additional training they need, without the equipment they need and without the resources they need.

We are putting in the resources. If you vote against this bill, you are voting against the resources they need to go into combat.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, this bill is a terrible bill. It is only allowed 4 hours of debate. We could have had more debate, but according to the Congress Daily P.M., the Speaker of the House is in New York City tonight at a fund-raiser. So we could have spent the time debating tonight. Instead, we are waiting until tomorrow and the time is limited.

Our soldiers are in need of our support, and they have sacrificed greatly and given their support to us, and they have kept us safe. We have been safe since September 11, 2001, but instead of providing only what the troops need in this bill, it funds domestic spending with \$24 billion.

In addition in Title IX of this bill, the language will effectively deny our troop reinforcements or replacements. The language says that no unit may be deployed without being fully mission-capable. If this language were law during World War I, none of the troops would have been fully mission-capable, and we could not have deployed our troops to rescue Europe, and the world would be a very different place.

If this language had been law during World War II, our troops would not be fully mission-capable, and they would not have been available for the victories in D-Day or Iwo Jima, and the

world would have been a very different place.

If this language were law during the Korean War, our troops would not have been able to leave the country because they were never fully mission-capable. They were using broken-down World War II equipment, and if they had not gone to rescue the South Koreans, the world would be a different place.

Mr. Speaker, this bill will not let our troops in Iraq receive the reinforcements and replacements they need, and let me tell you why.

To be fully mission-capable, there are three areas of judgment: personnel, equipment and training. Personnel, we can be fully mission-capable. We have the best soldiers in the world, and our units have the right number of people.

Training is a little more subjective. Most people say that they would be ready to be fully mission-capable. However, they do not train on the very same equipment that they use in the field. So there is some contention whether they are actually fully mission-capable or not. Some would say they are not, but definitely in the area of equipment we are not fully mission-capable. The reason: We take the best equipment we have and we put it in the field to protect our troops. We know it is the right thing to do, but our troops do not train on the same equipment they operate in the field. In fact, they could not leave the United States under this language. Right now, they go to Kuwait and they train on equipment. It is not the same equipment but it's close, it is not the same level of protection that they have when they get in field in Iraq. So they will never be fully mission-capable.

According to the Congress Daily A.M. this morning said Pentagon leaders have repeatedly told Capitol Hill they need additional war funds by the end of April. If they do not receive those funds by April, it will delay repairs, would exacerbate the readiness problem facing nondeployable units which already have equipment shortfalls. In other word, they would not be fully mission-capable, and the results of that, of not being fully mission-capable, is that our troops cannot receive the reinforcements and they cannot receive replacements. Our troops will be stuck in Iraq. Vote "no" on this bill.

The language in this bill ties the hands of our military, and it says that none of the troops that are in America today will ever have the ability to leave this country because they cannot be "fully mission-capable." The Title IX language must be struck from the bill because it is very clear that if we do not strike the language, we cannot get any reinforcements out of the country, we cannot get any replacements out of the country, and therefore, our troops will be stuck in Iraq.

I thank the gentleman from California for yielding me the additional time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, Speaker PELOSI, Chairman OBEY, and Chairman MURTHA have put together a very solid piece of legislation. This bill puts us on a path to end this war. This legislation holds the Iraqi Government accountable, and it holds President Bush accountable. Let us not forget, this is an Iraqi Government that refuses to pursue national reconciliation.

This bill takes President Bush's benchmarks and puts them into law. This is a bill about accountability. Others have said we are handcuffing, micromanaging. No, this is a bill about setting a policy to extract us from a misguided war.

I ask my colleagues, vote for this bill because it tells the Iraqis it is time for you to step up and defend your country.

I rise today in support of this important legislation and would like to thank Chairman OBEY and Chairman MURTHA for their work in crafting this critically important bill. There are no easy choices to be made regarding Iraq, but the choices they have made are the right ones.

I believe there are two fundamental issues we must address concerning the on-going war in Iraq. First, we must provide the resources necessary for our troops on the ground so they can protect themselves and our allies. Second, we must redeploy them as soon as we can, and bring to an end American involvement in ill-conceived, poorly planned, and mismanaged war.

I believe this legislation achieves both of these goals. The bill provides more funding for the equipment and training of our troops than the President's request. It offers a new direction that promises to finally bring closure to our open-ended commitment in Iraq. And Mr. Speaker, this bill promises to give our returning troops the health care that they need, with the honor they deserve for honoring us with their service.

As the people's body, it is imperative that the House of Representatives listens to the will of the people. Equally important, it is imperative that the President listen to the will of the people.

After four years, \$400 billion dollars, and the tragic loss of 3,200 service men and women, every survey of public opinion shows a clear majority of Americans disapprove of the President's handling of the Iraq War. And more Americans believe Congress, not the President, should be primarily responsible for setting policy in Iraq.

Mr. Speaker, with passage of this legislation, we are taking the first steps to end our involvement in a war that currently has no end in sight.

I urge my colleagues to support this important legislation and move us in a new direction in Iraq.

Mr. LEWIS of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON), a member of the committee.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding and rise in opposition to the bill.

I want to say this: We have had a lot of good, sincere debates in the Defense Subcommittee of Appropriations, but one of the things that, in our honest disagreement about, that we have not talked about as much is the effects that the surge has already had. I wanted to bring up some statistics.

The 4 weeks prior to the surge which began on February 15, we had 1,440 civilian deaths; since that time, 265. That is a reduction of about 500 percent.

In terms of bombings, prior to the surge, we had 163. Then from February to March, it is down to 102.

Similar with car bombings, down 35 percent from 56 to 36.

The surge is already showing a significant impact. Two-thirds of the Iraqis polled by a British polling firm, 5,000 people which were sampled, the largest poll in the history of Iraq, two-thirds of the people say they are better off now than they were under Saddam Hussein. Seventy-three percent say they are not in a civil war. Al-Maliki, the Prime Minister's approval rating has gone from 29 percent in September to 49 percent now.

We are making progress. We are not defending the status quo. We are changing the course, and the Petraeus plan needs to be given time to work, and that is very, very important.

The second point that I want to make is there are so many extracurricular things in the \$23 billion in spending that have nothing to do with the war in Iraq. Now, I serve on the Ag Committee, and I want to mention some of those.

There is a \$100 million increase in the PL-480 program, but there is not a single word of it in the report as to why this is justified, why this is considered an emergency, \$100 million.

Secondly, we have \$25 million in there for spinach recall. The USDA did what they were supposed to do, but I want you to know you are setting a precedent for recall. We are not in the product compensation business on recalls.

Finally, we have \$5 million in the bill because of a Canadian fish import issue.

All of these things are good, debatable topics, but they do not belong in an emergency appropriation bill. I think they should come back through the committee process on regular order where we can have a good debate and look at them on a separate piece of legislation.

While some of the provisions I support, such as the peanut storage and handling provision and some type of agriculture disaster assistance, this bill is not the appropriate place for them to be considered.

Title II—P.L. 480 Grants—The bill contains \$100,000,000 above the President's request for Title II—P.L. 480 Grants.

There is not a single word of explanation in the report as to what or where the additional funds are to be used for.

The President's request included \$350,000,000 of which approximately

\$150,000,000 would go to Sudan and for populations in Chad affected by the violence in Darfur; \$30,000,000 for Afghanistan; \$95,000,000 for Southern Africa; and \$75,000,000 for the Horn of Africa.

Just last month the Congress included \$1,215 billion for this program in the Joint Resolution to fund this program for the remainder of fiscal year 2007.

The bill provides \$140,000,000 in additional relief for losses related to Hurricanes Katrina and Rita of which \$25,000,000 would go to provide additional compensation to livestock producers and \$100,000,000 would go to provide additional compensation for citrus producers—it appears that these additional funds are included in the bill only for the reason of doubling the \$80,000 payment that livestock and citrus producers have already received, taking their payments up to \$160,000.

The need for agriculture disaster assistance has been debated for the last several months.

While disaster assistance is clearly needed in some areas of the country, this bill provides \$25 million for spinach producers who had losses due to a nationwide spinach recall last fall.

The FDA did what it was supposed to do, and initiated the recall to protect consumers.

This assistance is unprecedented, and there will be pressure put on this Committee to compensate producers whenever other food products are recalled.

Can you imagine the cost if we get in the business of compensating producers for losses that they incur because of food recalls? The latest list of some of the food recalls from FDA and USDA include: bread; peanut butter; corn chips; olives; oysters; milk; fresh cut fruit; summer sausage; ground beef; and the list goes on.

The reason foods were recalled is because they presented a health risk to the public, and the FDA or the USDA did what they were supposed to do.

The bill includes \$5,000,000 for compensation to aquaculture operations who may have incurred a loss due to a restriction on imports from certain fish from Canada.

The emergency order, put on by the Animal and Plant Health Inspection Service, on these fish from Canada was due to outbreaks or potential outbreaks of a destructive pathogen responsible for several large-scale fish deaths in the Great Lakes region—the reason APHIS put the order in place was to protect aquaculture in the Great Lakes states, and somehow \$5,000,000 makes it into this bill to compensate for possible losses without any justification. Where did this number come from?

Finally, there are no funds for USDA to administer any of the disaster assistance provisions in the bill that total nearly \$4,500,000,000. Members are already reacting to proposed FSA office closures that are occurring all over the country. This will only exacerbate the problem.

#### IRAQI GOVERNMENT PROGRESS

According to the U.S. Embassy in Iraq, over the last 30 days they have seen important developments in the history of Iraq. The Iraqi government has taken steps to improve security, governance, economic development and economic opportunities.

Iraq's Prime Minister is actively leading the latest plan in Baghdad.

Prime Minister Maliki created six committees to oversee the non-security pieces of the Baghdad plan, with oversight of economic

development, essential services, communications, community outreach and related functions.

Prime Minister Maliki's first trip to Anbar Province was a clear gesture and attempt to involve Sunni tribal sheiks into the government.

Anbar's tribal sheiks are switching allegiances away from the insurgents and towards the government of Iraq.

The tribal sheiks have started providing police and army recruits to support stability in the region.

At the end of February, the Iraqi parliament's Council of Ministers passed a hydrocarbon law that outlines the equitable sharing of Iraq's oil wealth.

The Iraqi government hosted the Neighbors' Conference, the first international conference in Baghdad since 1990. The conference ended with regional and international partners pledging to fight terrorism and to enhance security in support of the goal of peace and security for the people of Iraq.

Iran and Syria along with Saudi Arabia, Kuwait, Jordan, Turkey and the five permanent members of the U.N. Security Council attended the conference.

#### MILITARY PROGRESS

SecDef stated (Mar 21) the deployment of Iraqi troops into Baghdad is right on schedule—10 brigades total.

Operational strength of the Iraqi Brigades in Baghdad has vastly improved.

First Brigade reported at 61 percent; Second came in at 65 percent; and the third came in at 85 percent. Other brigades on their way are reporting in the high 90s to more than 100 percent strength.

The problem was not related to fighting, but rather an issue with getting pay to families. Iraq does not have a financial system that provides for electronic transfer of monies—it is a cash transaction society. The Iraqi Government found that troops were trying to take money to their families and that is the reason they were absent.

They fixed the problem by paying deploying forces a bonus upfront so they could leave money with their families and not have to worry about them.

Overall, violence directed against Iraqi Civilians is down about one-third and murders/assassinations are down 50 percent.

Civilian deaths down more than 500 percent: mid-Feb to mid-March, 265; previous four weeks, 1,440.

Bombings down nearly 40 percent: mid-Feb to mid-March, 102; previous 4 weeks, 163.

Car bombs down nearly 35 percent: mid-Feb to mid-March, 36; previous 4 weeks, 56.

#### NOTES FROM SECDEF'S TALK AT ARMY CAUCUS—MAR 22

Active Army has met every retention and recruiting goal since 9/11

Need to grow Army and we're doing so by 7,000 a year

Vital to meet Active Army's goal of 1 year deployed and 2 years home; Guard/Reserve goal is 1 year deployed and 5 years home

Need to include Guard and Reserve in all of our plans

Modernization and putting them in Joint billets

We have programmed \$46.4B for reset in FY 07/08

Modernization is also required—started \$56B short

Need the FY07 Sup by April or we will have to take Draconian measures and begin to reprogram money, impacting all facets of the Army

Need \$2B for BRAC this year and stated that we need to expedite the construction of the medical facility on Ft Belvoir and make Bethesda the premier medical facility



## COMMONLY ASKED QUESTION IRAQ

Q: What is your view of the timetables and provisions that have been attached to the FY07 Supplemental?

A: It's important to elevate the level of debate. . . . question is how we incentivize the Iraqi government. But, specific dates and strict conditionality would make it impossible for commanders to complete the mission.

Q: Do you think the operations in Iraq will be over on October 1?

A: Decisions need to be based by conditions on the ground. Setting a date tells your adversary all he has to do is wait. I think debate on the hill has been helpful; there is no military solution, it has to be a political solution and we are providing them the time they need.

Q: How is the deployment of Iraqi troops going? We have heard they are reporting at low strength rates?

A: In Afghanistan, there are about 12 financial centers that enable movement of money. Iraq has no such system yet, so troops have to take cash home to their families. First Brigades came in around 60 percent but other brigades are reporting in the high 90s to more than 100 percent strength. The problem was not related to fighting, but rather an issue with getting pay to families—troops were trying to take money to their families and that is the reason they were absent. They fixed the problem by paying deploying forces a bonus upfront so they could leave money with their families and not have to worry about them.

Q: Are we neglecting Afghanistan?

A: After I visited Afghanistan, I made the decision to extend the deployment of one Brigade and move the other Brigade in. We will be adding 3,400 trainers and overall about 6–7,000 soldiers. Britain and Australia are also providing more troops as we prepare for a Taliban offensive this spring. We think they may make a run at Khandahar and we want to hit them hard.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

The gentleman talks about how we need to support General Petraeus. Let me quote from Thomas Friedman, who has had years of experience in understanding the Middle East. He said: I hope the Democrats under Speaker NANCY PELOSI keep pushing to set a deadline for withdrawal from Iraq because they are providing two patriotic services that the Republicans failed to offer in the previous 4 years. The first is policy discipline. The other useful function Speaker PELOSI and her colleagues are performing is to give the President and General David Petraeus, our Commander in Iraq, the leverage of a deadline without a formal deadline. How so? The surge cannot work without political reconciliation among Iraqi factions, which means Sunni-Shiite negotiations, and such negotiations are unlikely to work without America having the leverage of telling the parties that if they do not compromise, we will leave. Deadlines matter. At some point Iraqis have to figure this out themselves. Since Mr. Bush refuses to set a deadline, Speaker PELOSI is the next best thing. Do not underestimate how useful it is for General Petraeus to be.

Mr. Speaker, I reserve the balance of time.

Mr. LEWIS of California. Mr. Speaker, can I inquire how much time we have on each side.

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) has 1 hour, 25½ minutes. The gentleman from Wisconsin (Mr. OBEY) has 1 hour, 28½ minutes.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the committee.

□ 1745

Mr. WAMP. I thank the distinguished ranking member.

Mr. Speaker, for over 12 years in this House and over 10 years on the Appropriations Committee, I have worked really hard to try to be fair, bipartisan, cooperative.

I have to say, though, here today that campaign rhetoric is one thing but when the rubber meets the road on this huge, important bill to have this kind of a process in this kind of a bill is not right. To have over \$21 billion of extraneous spending added to this bill, under a closed rule, which is not the regular way here in the House, especially on appropriations, and, frankly, to then even violate your own budget rules is not right.

I have to say that first. It is kind of insider talk, but it is important to know that this is not the regular order and not the way this should be done.

Then I respect all the Members in this House that have served in the military, and I respect so much the gentleman from Pennsylvania and his expertise here. But I disagree that if you vote against this bill, you are not supporting the troops, and you are not supporting the veterans, because I am going to do both, and I always do both.

I do believe that this bill needs to be changed dramatically. I hope to serve on the conference committee, and I hope that the product that comes back from the conference committee is very different, that it is more about supporting the troops and not all these extra things, and that we don't micro-manage the war through the appropriations process.

Now, let me also say this. When the President said mission accomplished, he was talking about removing Saddam Hussein. We agreed as a Congress, over half the Democrats in the Senate voted to do it, almost half the Democrats in the House voted to remove Saddam Hussein. I wish that wouldn't have sent the signal that it was accomplished because the mission wasn't accomplished. The mission is not accomplished, and the mission may not be accomplished in August of 2008.

As a matter of fact, this threat is not going away. One thing I know a lot about is this threat of jihadism. I have read 20 books. I have been to lectures. We cannot retreat from this threat. We must stand against this threat.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Ms. DELAURO), chairman of the Agriculture Appropriations Subcommittee.

Ms. DELAURO. Mr. Speaker, this week Congress takes up its obligation

to finally change course in Iraq. This week as we enter the fifth year of the Iraq war, more than 3,200 American lives have been lost, tens of thousands more are wounded, and sectarian violence threatens to spill over into the entire Middle East with no prospect for a stable, constitutional democracy in Iraq in sight. We must judge this war not for what we wish it were, but for what it has so clearly and tragically become, a mistake of historic proportions.

I believe America should be sending a clear signal by beginning to reduce our troop levels now so the Iraqi Government takes responsibility and diplomacy can begin for real. I support phased redeployment over the next year and will seek every opportunity to mandate such change in law. Let us serve our men and women fighting overseas and recognize their sacrifices by charting a new course in Iraq.

By voting for this supplemental appropriations bill, we vote for accountability in Iraq. We vote to force a change in policy and in law, requiring a phased, responsible redeployment of our troops over 12 to 18 months. There are too many lives at stake here, and, personally, I have crossed the Rubicon on this war.

Regardless of whether this bill is blocked by a filibuster from Senate Republicans or a threatened veto from President Bush, we must support this bill today. Passing this bill in the House will be the first formal act, the first step toward requiring a new course in Iraq. We all know our troops will do anything their country asks. But let us make sure their courage and their sacrifices advance a mission that enhances our security and our interests.

We need to begin reducing our troops and pursuing a new strategy in order to achieve a stable Iraq, a peaceful Middle East, and a more secure America.

That is our obligation. Let us honor it by voting in favor of this supplemental bill.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to my colleague from Illinois, the ranking member of the subcommittee of the Permanent Select Committee on Intelligence, RAY LAHOOD.

(Mr. LAHOOD asked and was given permission to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I rise in strong opposition to H.R. 1591.

The bill is a bonanza for numerous factions of the majority party and many special interest groups. You want an increase in the minimum wage? If you pass this bill, it is done. You want agricultural disaster relief that occurred more than 2 years ago? You pass this bill, it gets done. You want billions of dollars for homeland security initiatives without going through the regular process? Pass this bill, and it is done.

Let me be clear, I supported an increase in the minimum wage, and I

supported it in the appropriations committee last year. I have voted to support relief for our farmers, and I do believe we have to increase our ability to secure airports and our ports, but not through this bill.

I do want to say a word of support and thanks to Chairman MURTHA and Chairman OBEY for highlighting Walter Reed and sending a message that we are not going to close the hospital. We are going to keep it open. We are going to fix it up. We are going to provide the money. That was an important provision in this bill.

I have constituents who are leaving Illinois shortly and will soon be back in harm's way. I have never voted against legislation that provided funding for them to safely execute their missions. I trust they recognize what is happening here tonight. They know that we will always work to give them the resources they need, but we will not undercut their efforts by telling our enemies that the United States does not have the fortitude nor the political will to continue our support for the Iraqi people and their government.

What is the benefit to giving our enemies a troop withdrawal date that they can circle on their calendar? Why would we give them the aid and comfort of knowing that if they continue their attacks for just 11 more months, the U.S. military will leave Iraq, and it will be under their control?

We must pass a clean supplemental that is focused on meeting military needs. We must quit. We must quit being 435 Commanders in Chief and allowing our military leaders on the ground in Iraq to continue to use their skills and expertise to prosecute the war free of political interference. We must acknowledge that the needs of our men and women in uniform are more important than deals made here, campaign sound bites and political grandstanding. We must remember those who sacrificed so much for this war effort and allow their fellow soldiers to continue the mission.

We have a job to do here. I urge my colleagues to vote against this bloated, misguided bill and return our focus to where it should have been all along, the needs of our troops.

Even with \$25 billion in extraneous, non-emergency spending added to sweeten the pot, a big problem remains. You can dress it up all you want, but Members, regardless of party affiliation, know a bad bill when they see it. Leadership may be able to lard up this bill to gain votes, but apparently it hasn't been enough because they still don't have the votes.

I am very disappointed, but not surprised, that really surprised, that we are operating here today under a closed rule. I know Members of both parties would like to be able to offer amendments to try to salvage this legislation, but too many arms have been twisted and too many promises have been made to allow any changes now. One amendment passes, and the whole bill unravels. Apparently, one vote, up or down, is all you get when you consider a \$125 billion package.

Let me be clear. I support an increase in the minimum wage. I support providing relief to farmers when disaster strikes. I support increased funding to improve the airport security process. However, none of these things is worth my supporting a bill that I truly believe will put the lives of our troops in danger.

During the Appropriations Committee markup of this bill last week, Chairman MURTHA included in his Manager's amendment the text of my amendment that prohibits the use of funds to close the Walter Reed Army Medical Center. I am grateful for his assistance about this issue that I consider to be vital to the care of our returning wounded military personnel. But even the inclusion of my own amendment in this bill is not enough to make me hold our troops in combat hostage to political grandstanding.

It is unconscionable to me that this House assumes that we can manage the war better than our military leaders. We cannot stand here in the protected environment of the House Chamber and tie the hands of our President and our combatant commanders on the ground in Iraq. We cannot promise our troops the operational money they need to safely do their jobs while announcing their withdrawal date to our enemies. Congress cannot and must not micromanage the war effort.

I have constituents who are leaving Illinois shortly and will soon be back in harm's way. I have never voted against any legislation that provided funding for them to safely execute their missions. I trust that they recognize what is happening here today. They know that I will always work to give them the resources they need, but I will not undercut their efforts by telling our enemies that the United States does not have the fortitude or political will to continue our support for the Iraqi people and their new government.

What is the benefit to giving our enemies a troop withdrawal date that they can circle on a calendar? Why would we give them the aid and comfort of knowing that if they continue their attacks for just 11 more months, the U.S. military will leave and Iraq will be theirs to control?

If enough votes are gained and enough arms are twisted and this legislation reaches the President's desk, he will veto it, with my strong support. Our troops will suffer while the majority continues to try to unite their deeply divided caucus. Our troops will continue their missions as best they can, but how long do you plan on making them wait for the funding they need?

We must pass a clean supplemental that focuses on meeting military needs. We must quit trying to be 435 Commanders-in-Chief and allow our military leaders on the ground in Iraq to continue to use their skill and expertise to prosecute the war, free of political interference. We must acknowledge that the needs of our men and women in uniform are more important than backroom deals, campaign sound bites, and political grandstanding. We must remember those who sacrificed so much for this war effort and allow their fellow soldiers to continue their mission.

We have a job to do here. I urge my colleagues to vote against this bloated, misguided bill and return our focus to where it should have been all along: the needs of our troops.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. One of the Members said, how many less Iraqis have been killed? I don't know how many less Iraqis we killed. I know 62 individual American soldiers or marines have been killed this last month.

I want to say about equipment, I have got a chart here with the Army National Guard. Every single National Guard unit in this Nation, all 50 States, doesn't have the Humvees they need.

Every State, they don't have the 7-ton trucks they need. Every State, they don't have other equipment, the equipment they need for jammers and so forth.

When you say they are training on equipment and are not fully trained, they don't have the equipment to train on. This bill provides that. When you vote against this bill, you are voting against the extra money to fix that problem.

Mr. LEWIS of California. Mr. Speaker, I am pleased to recognize for 2½ minutes the ranking member of the Armed Services Committee, Mr. HUNTER of California.

Mr. HUNTER. Mr. Speaker, I want to address my good friend, Mr. MURTHA, who pointed out that there was a shortage of Humvees back here, particularly up-armored Humvees. Well, let me show you how many Humvees we had at the end of the Clinton administration: up-armored Humvees, zero.

We didn't have any up-armored Humvees for the National Guard to train on, for the Army to train on, for the National Guard to deploy or for the Army to deploy. We had zero. Actually, we had 1,300 at the end of 2000, 1,300. We now have 18,400 up-armored Humvees. We have got roughly 15 times as many up-armored Humvees as we had at the end of the Clinton administration.

Now, let me remind my colleagues how much body armor we had at the end of the Clinton administration, body armor. If I hear another parent call up because they are listening to this debate and they are listening to information which is erroneous, I think it is important for us to remind them, there was nobody armored at the end of the Clinton administration, not one stitch of bulletproof armor at the end of the Clinton administration. Today there are just under 1 million sets of body armor for our troops.

Now, let's talk about what we didn't fund in this bill. We didn't fund the ambush protection vehicles to the full extent that the Army asked for. The Army asked for \$4.75 billion worth of ambush protection vehicles. Those are vehicles with the V-shaped hulls so that land mines will be deflected and they have strong enough sides so that IEDs will be deflected.

Now, my colleagues, I will tell you why everybody, Democrats and Republicans, should vote against this particular supplemental, and it is because of one of the restrictions that is placed

on this. There is a 15-day notice and wait period in this bill that says that no unit can deploy until notice is given 15 days before that deployment. We have not done that since our birth as a Nation, saying you can't deploy reinforcements, you can't deploy an emergency unit. It could be a bomb-clearing unit; it could be an IED unit. It could be a medical unit. You can't deploy it for the men and women of the Armed Forces who are engaged in combat until 15 days have expired. We have gone over this with the lawyers and they say it is a 15-day notice and waiver. You can't do it.

Vote "no" on this very bad, very defective bill.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the gentleman can have charts, but the charts don't change facts. I would also observe that the important thing is not what happened 7 or 8 years ago. The important thing is what we are going to do today and tomorrow.

Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Speaker, in Kosovo we had 30,000 sorties. We never lost one person to combat in Kosovo. Let me read the figures for you in 2001. All active duty Army divisions were rated highest readiness level. Do you know what they are today? Almost all are rated lowest level. Every National Guard unit today is rated the lowest level.

Mr. Speaker, we could not deploy our ground forces overseas for any threat. Our national security has been significantly increased because the depletion of our strategic reserve, our national strategic reserve. We got a problem here. We are trying to fix the problem. If you vote against this, you are voting against helping us to restore the equipment that we have lost in this country.

Mr. HUNTER. Would the gentleman yield briefly?

Mr. MURTHA. I will yield.

Mr. HUNTER. I thank my friend for the courtesy of yielding.

Mr. Speaker, let me just say we took a 1999 101st Airborne battalion. We compared them today with the 100,000 pieces of new equipment that they have got. The 1999 Airborne Battalion today, if it was rated C-1 in 1999, would be rated unready today, not because they are not good warfighters or capable, but because there is brand-new equipment. If you don't have your flu shot, you are rated unready for combat.

Mr. MURTHA. I take my time back.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. MURTHA. Let me just say to the gentleman from California, when President Clinton was President, Bush as a candidate was running against him. He said, look, you are not ready to go to war. He said, two entire divisions of the Army would not have had to report until they are ready.

Let me tell you what it would be today. Almost no division in the

United States is ready to report for duty if we had to send them out someplace else to a national threat. That is the difference today. Today we are trying to fix this. Today we put money in the bill to fix this.

Mr. HUNTER. Would the gentleman yield just briefly?

Mr. MURTHA. Yes.

Mr. HUNTER. I thank the gentleman.

I think the gentleman would agree that 28,000 up-armored Humvees today is a lot better than the 1,300 that we had before. The body armor, you have 1 million sets of body armor today, much better than we had before.

Mr. MURTHA. The gentleman has to realize, we put it in. They didn't ask for much of this. I found the 44,000 shortage of body armor. I found the shortage of Humvees. We came back, and we put it in. BILL YOUNG, JERRY LEWIS and I put it in. The Armed Services is the one that is causing the problem.

Mr. HUNTER. The Armed Services Committee put in 10,000 jammers.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds. Again, we can debate yesterday until the cows come home. What Mr. MURTHA and I are trying to focus on is what we do in this bill today to make tomorrow better for our servicemen and our country. That is the issue, and that is the issue that this bill tries to address.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to Mr. HOEKSTRA, the ranking member of the Intel Committee.

Mr. HOEKSTRA. I thank my colleague for yielding.

Mr. Speaker, I rise in opposition to this bill, a bill that burdens our troops with conditions and dangerous timetables while simultaneously rewarding politicians with heaping helpings of pork.

□ 1800

Providing full funding to our troops standing in the breach in the war against militant radical Islamists should be easy, and it should come without strings attached.

The bill before us today sends a terrible message to our brave men and women in the Armed Forces, those who are serving our Nation in harm's way, and gives radical jihadists vital intelligence on potential future troop plans and intentions of the U.S. rather than offering a clean bill with emergency funding for our troops in combat, or allowing an up-or-down vote on the Sam Johnson bill that pledges Congress will not cut off funds for our troops on the front lines.

We are being forced to consider a muddled supplemental, replete with pork-barrel spending, risky timetables and other items that do nothing to ensure America's success in the long-term war against radical militant Islam.

Rather than the House debating how to win the war against radical militant Islam, with a focus on the current

fronts in Iraq and Afghanistan, we are engaged in political theater and not debating national security.

The bill before us ties the hands of our military commanders with timetables and measurements that supposedly force troop withdrawal, yet the bill before us contains provisions for targeting al Qaeda and training Iraqi security forces that could leave thousands of troops behind without the authority or the funding to take the fight to enemy insurgents. This is not a good plan. It is not a good place to be. Let's be committed to defeating radical militant Islam, and let's do it today. Vote "no" on this bill.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you, Mr. OBEY.

Mr. MURTHA is right; it wasn't Bill Clinton that sent our troops into Iraq without appropriate equipment and without a plan to win the peace, it was the Bush administration. The war against Saddam Hussein was over in a few weeks, yet for over 3 years they have been trapped in a deadly crossfire of an Iraqi war. This bill is not micro-managing the war, it is the next logical step as Congress rediscovers its voice and its constitutional responsibility as a coequal branch of government.

This weekend 15,000 Oregonians made clear that this day cannot happen too soon. This is hard for me. I have never voted for a supplemental appropriation on this war, but I will vote tomorrow for the first enforceable deadline. It is what Americans want, and it is what our troops and their families deserve.

Mr. LEWIS of California. Mr. Speaker, I recognize the gentleman from New York (Mr. REYNOLDS) for 2½ minutes.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, I rise today in strong opposition to the Democrats' supplemental appropriations measure currently before this House.

I am extremely disappointed before at the dramatically different tack this Democratic leadership has taken with regard to the emergency war supplemental.

Congress, instead of acting on a supplemental request that would support our troops, has introduced legislation to withdraw our troops. This bill, by attempting to micromanage the war on terror and implement a congressional war strategy, will tie the hands of the generals in the field.

Frankly, this bill crosses into dangerous territory for Congress. For if this bill passes, its supporters will have decided to take over war strategy, and we will have 535 Commanders in Chief. This is wrong for America's national security, and it is wrong for the troops serving bravely overseas.

Our troops deserve better than this, Mr. Speaker. And under a Republican leadership in the House, our troops got

the funding they needed without the gimmicks found in this bill. They deserve for this House and this Congress to stand ready to assist them by providing the resources needed for victory.

And let me be perfectly clear, I will not support legislating the micro-management of this war from Capitol Hill. Members of Congress cannot and should not legislate defeat by passing this ill-conceived measure. And the Democrat leadership has decided to play politics by tying more than \$31.5 billion in domestic spending provisions into a bill to secure votes.

Sure there are many domestic provisions in the underlying bill that I wholeheartedly agree with. For example, I fought side by side in bipartisan fashion for extension of the MILC program. And our cold winters in western New York make LIHEAP essential for our communities. But the House deserves the opportunity to make these domestic programs through regular order, not by discussing them as emergency spending.

Mr. Speaker, in closing, we have a choice to make, a choice to support our troops by giving them the resources they need, or a choice to pay lip service to our soldiers and make generals and Commanders in Chief out of the 535 Members of Congress.

The right choice is obvious; and hopefully the Members of this body have the courage and the integrity to make that choice, support our troops. Vote "no."

Mr. OBEY. I yield 1 minute to the gentlelady from California (Mrs. CAPPs).

Mrs. CAPPs. Thank you, Mr. OBEY.

Mr. Speaker, I rise to support the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.

For the past 4 years, the previous leadership in this Congress has given the President a blank check for his misguided and mismanaged war in Iraq. That war has taken the lives of more than 3,200 of our brave troops, wounded tens of thousands more; countless Iraqis have died.

Congress refused to fulfill its constitutional obligation for oversight and its moral obligation to end the war. So today, we take the first step toward meeting those duties.

Mr. Speaker, I have opposed the Iraq war from the beginning; I voted against it in 2002. And as a member of the Out of Iraq Caucus, I want to bring our troops home sooner than the fall of 2008. But tomorrow, with this bill, we all will make a decision. Either we will continue to give this President a blank check in Iraq on a never-ending war, or we will have established a responsible timetable for withdrawing our troops. Bring this war to an end. The choice is clear for me, I will vote to bring this war to an end.

Mr. LEWIS of California. Mr. Speaker, it is a privilege to yield 2 minutes to the marine from the Armed Services Committee, Mr. KLINE of Minnesota.

Mr. KLINE of Minnesota. I thank the gentleman for yielding.

Mr. Speaker, I am saddened and, frankly, appalled that today in this House of Representatives we are debating a bill to put "retreat and defeat" into law at a time when we have our young men and women engaged in combat. There are many things, Mr. Speaker, which affect the morale of men and women in uniform and men and women in combat, but putting into law mandating their defeat is certainly one of them.

Mr. Speaker, on February 10, 2007, General Petraeus addressed the soldiers, sailors, airmen, marines and civilians under his command in a short letter. In that letter, General Petraeus explained quite clearly that "the way ahead will not be easy. There will be difficult times in the months to come. But hard is not hopeless, and we must remain steadfast to help improve security for the Iraqi people."

Mr. Speaker, this bill makes hard hopeless.

As a 25-year veteran of the Marine Corps and the father of a soldier recently returned from Iraq, it is with great hardship that I now oppose this emergency supplemental. This supplemental does not support our military; it undermines the best opportunity to prevent the dire predictions of our Intelligence Community when they put out that NIE saying that this course of action which will be driven by this bill will increase sectarian violence, cause massive civilian casualties, create a terror safe haven and a potential for wider conflict that would draw in other regional powers.

Again, General Petraeus said, in talking to his soldiers, sailors, airmen and marines, "Success will require discipline, fortitude and initiative, qualities that you have in abundance." Would that we have more of that here.

FEBRUARY 10, 2007.

TO THE SOLDIERS, SAILORS, AIRMEN, MARINES, AND CIVILIANS OF MULTI-NATIONAL FORCE—IRAQ:

We serve in Iraq at a critical time. The war here will soon enter its fifth year. A decisive moment approaches. Shoulder-to-shoulder with our Iraqi comrades, we will conduct a pivotal campaign to improve security for the Iraqi people. The stakes could not be higher.

Our task is crucial. Security is essential for Iraq to build its future. Only with security can the Iraqi government come to grips with the tough issues it confronts and develop the capacity to serve its citizens. The hopes of the Iraqi people and the coalition countries are with us.

The enemies of Iraq will shrink at no act, however barbaric. They will do all that they can to shake the confidence of the people and to convince the world that this effort is doomed. We must not underestimate them.

Together with our Iraqi partners, we must defeat those who oppose the new Iraq. We cannot allow mass murderers to hold the initiative. We must strike them relentlessly. We and our Iraqi partners must set the terms of the struggle, not our enemies. And together we must prevail.

The way ahead will not be easy. There will be difficult times in the months to come. But hard is not hopeless, and we must remain steadfast in our effort to help improve security for the Iraqi people. I am confident that each of you will fight with skill and courage,

and that you will remain loyal to your comrades-in-arms and to the values our nations hold so dear.

In the end, Iraqis will decide the outcome of this struggle. Our task is to help them gain the time they need to save their country. To do that, many of us will live and fight alongside them. Together, we will face down the terrorists, insurgents, and criminals who slaughter the innocent. Success will require discipline, fortitude, and initiative—qualities that you have in abundance.

I appreciate your sacrifices and those of your families. Now, more than ever, your commitment to service and your skill can make the difference between victory and defeat in a very tough mission.

It is an honor to soldier again with the members of the Multi-National Force—Iraq. I know that wherever you serve in this undertaking you will give your all. In turn, I pledge my commitment to our mission and every effort to achieve success as we help the Iraqis chart a course to a brighter future.

Godspeed to each of you and to our Iraqi comrades in this crucial endeavor.

DAVID H. PETRAEUS,

General, United States Army Commanding.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. I first want to commend Speaker PELOSI for her leadership and tenacity, for doing the right thing for America; to Chairman OBEY and Chairman MURTHA for working together to bring this bill to the floor.

In my 30 years of public service, this is probably one of the most difficult votes I will make, but it is the right vote. I will vote "yes" to support the supplemental.

This war has lasted longer than World War I and World War II. More than 3,200 young men and women have lost their lives, over 30,000 amputees and the like, mental health services that we don't yet know we will have to endure from this ill-advised war.

It is a good supplemental. Is it perfect? No. But it does begin to change course, to change course that this Nation needs that we begin to invest in America, to take care of our children, to bring our soldiers home. I wish we could bring them home tomorrow, but there is a process, and this bill begins that process by using the President's own benchmarks that the Iraqis would rise up and take care of their own country, their own people. This is a civil war; we ought not be in it.

I ask you to vote "yes" on the supplemental.

The Americans who live in the 13th Congressional District of Michigan want our women and men in our military home now. As a Member of Congress who has opposed the war from the very beginning, so do I. In my three decades of public service to the citizens of Michigan and all Americans, this is one of the most difficult votes I have had to cast as an elected official.

As you know, I voted against the resolution authorizing the use of force in Iraq. I did not support the pretext nor the context for our involvement in Iraq. I felt then, and I feel now, that we did not exhaust all of our diplomatic,

political or military options. Regrettably, I have been proven correct.

In January of this year, we will have been involved in Iraq longer than we have been involved in World War I and longer than we were involved in World War II. We will have lost over 3,200 lives, over 25,000 women and men wounded and maimed, and over \$500 billion dollars in a conflict that, as of today, is only getting worse and worse day by day. I want our women and men fighting in Iraq home now.

Three decades of public service teaches you that Americans do not do revolutions, Americans do evolutions. As steadfast, as earnest, as honest as I, and the vast majority of my constituents, want our troops home immediately, I support this bill and will support this bill enthusiastically. Why? This bill does three things—first, it finally establishes and demands that the President of the United States be held accountable for our troops in Iraq and how our tax dollars are being spent. Second, it has a deadline for our troops to come home. Third, it provides some emergency support for some of the programs decimated by the permanent tax cuts for the rich and by the fiscal demands of the war.

As my colleagues who have been to battle in Iraq and who have borne the burden of war and its concomitant issues, I am not merely anti-war; I am anti-failure. This bill will get our women and men home, and it will require that Iraqis bear the responsibility for ultimately managing the country that is theirs.

Under this bill, the President will have to send troops to war under the same rules, regulations and guidelines established by the Pentagon. Rules that say that troops need adequate rest between tours of duty. Rules that say that no soldier or Marine will be sent without adequate training, equipment, or supplies. Rules that allow infantry commanders to have the final say in the welfare and safety of their troops. If the President chooses not to follow these long-established rules, he is to let Congress and the American people know why not following these rules is a national emergency.

Under this bill, accountability is demanded from contractors who are in Iraq. It cuts all of their contracts by ten percent, to allow Congress to see if taxpayer dollars are being spent on what these contractors say they are. For four years, there has been no accountability, no oversight, no responsibility in how the \$500 billion that has been spent in Iraq—currently, we are spending an estimated eight billion dollars per month in Iraq—and finally, this bill establishes that accountability. As a Member of the august Appropriations Committee, this is not only my privilege, but my responsibility, to all of the taxpayers of America.

Under this bill, by July 1, 2007, the President must certify that Iraq is making meaningful and substantial progress in meeting political and military benchmarks, including a militia disarmament program and a plan that equitably shares oil revenues among all Iraqis. If the President does not provide this certification then U.S. forces must begin an immediate redeployment to be completed no later than December 2007, or 180 days.

This bill does not ignore the fact that it is everyday Americans who have also paid a price for this war. Senior citizens who could go without heat in the winter or air conditioning in the summer. Children who could go without

health care. And it has been 191 days since Katrina landed, and over half of the houses, hospitals and businesses have still not been rebuilt. As much of an emergency as Iraq is, these are equally important emergencies.

I requested that the Committee add \$1 billion in funding for the Low Income Home Energy Assistance Program (LIHEAP); along with the Chairman, I was able to get \$400 million. I requested that the Committee add \$1 billion in funding to rebuild houses in the Gulf region; the Committee was able to commit \$2.9 billion to Katrina relief. The bill also ensures the long term health of our warriors at home and abroad. It adds funds for those veterans who are disabled by Post Traumatic Stress Disorder; it provides for the hiring of more staffers at the Veterans Administration to speed up medical claims; it ensures that those veterans who have severe brain injuries have the therapy and care that they need; and it makes sure that Walter Reed Hospital remains open and that Walter Reed, as well as other VA hospitals, receives the funds they need to take care of our warriors.

Thirty years as a legislator will teach you that no bill is perfect, and that compromise and negotiation is the hallmark of this country. If this bill fails, the President is further empowered to do what he has been doing for the past 4 years—a process of failed promises, fratricide among warring factions in Iraq, and fomenting doom. Compromising your tactics is not compromising your principles. My principle is to bring all of our troops home as soon as possible; end this war; and rebuild America's reputation as the standard for human rights, freedom and dignity.

It seems ludicrous to this Member of Congress that our President has threatened to veto legislation that contains his own benchmarks for success in Iraq, ensures our troops have the training they need, and supports our veterans. For months, conservative and Republican commentators and elected officials asked "what is the Democratic plan for Iraq"? Ladies and gentlemen, this is that plan. While Democrats have offered a plan to support our troops and change direction in Iraq, Republicans are preparing to oppose legislation that funds protection and equipment for our troops and supports our veterans. Instead of working to change direction in Iraq, opponents to this bill are turning their backs on our troops and our veterans, and backing the stay-the-course strategy in Iraq.

I am a warrior for peace. I am a supporter of our women and men who serve our military throughout the world. I will vote for this bill because it provides emergency help to our Nation's senior citizens and children, who have borne a different burden from this war; it brings our troops home; and it demands, for the first time in four years, accountability, credibility, and responsibility from our President.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the distinguished gentleman for yielding, and I thank him for his leadership on this and so many other issues affecting our national defense throughout his career in Congress.

I rise in opposition to this supplemental bill because, simply put, it is fiscally irresponsible and constitutionally flawed.

Mr. Speaker, emergency war spending bills should be about emergency war spending. This bill, with \$124 billion in spending, only includes \$111 billion in spending that is actually related to the war on terror in Afghanistan and in Iraq.

Thirteen billion dollars in this legislation will be spent on unrelated domestic spending; \$25 million for spinach, \$125 million for shrimp, \$75 million for peanuts, \$5 million for shellfish. That is not a war spending bill, that is the salad bar at Denny's.

Mr. Speaker, we all know that with the deadlines for withdrawal, retreat and defeat, this bill is constitutionally flawed. Congress can declare war. Congress can choose to fund or choose not to fund military operations. But from the very inception of this Nation, no truth has been more evident, Congress cannot conduct war. In fact, the fear of war by committee was debated and rejected in Philadelphia in 1787.

The Democrats have a plan to end the war. Our Commander in Chief has a plan to win the war. The problem with the Democrat plan is, as Orwell said, "The quickest way to end a war is to lose it."

Let's reject the Democrat plan for withdrawal, retreat and defeat. Let's give our soldiers a clean bill, no pork, no strings attached, and let's unite this Nation behind our Commander in Chief's plan to win a victory for freedom in Iraq.

Mr. OBEY. I yield myself 1 minute.

I would say to the gentleman who just spoke, for the last 4 years we have tried it your way. For the last 4 years we have had a Congress that did whatever George Bush wanted it to do, rubber-stamp, lock-step all the way.

Today is different. Today we have a Congress that is responding to what the public asked for in the last election. What you are seeing today is the new world of checks and balances. Get used to it. It is what the public asked for, and it is what they are going to get out of this Congress.

Mr. LEWIS of California. Mr. Speaker, I am proud to call upon the gentlelady from Florida (Ms. ROS-LEHTINEN) for 2 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, the House is poised to vote on legislation that, if passed, will cripple our foreign policy for many years to come and place our troops and all American citizens in great danger. It is a bill that seeks to abandon the Iraqi people, that seeks to abandon our closest friends and allies in the Middle East, leaving them to fend for themselves against radical Islamic militant jihadists. It is a bill that provides a roadmap for the insurgents, giving them a detailed account of the benchmarks they need to focus on in order to ensure an American withdrawal from Iraq.

Regardless of victory or failure, this bill demands withdrawal from Iraq. It

demonstrates very little confidence in the ability of our troops to get the job done in Iraq and defeat the terrorists there.

My stepson Doug and my daughter-in-law Lindsey have served proudly as marine fighter pilots in Iraq, and Lindsey will soon head back to another tour of duty in Iraq. They do not believe that you can separate the soldier from the mission. They do not believe that we have an option to simply walk away. Doug and Lindsey and many others like them do not want Congress to add to the burdens and the dangers that they face by legislating restrictions, deadlines and arbitrary instructions that only benefit the enemy.

The obvious danger of this legislation has been demonstrated by the desperate measures that the majority has resorted to in order to overcome fierce resistance in their own caucus. An emergency war funding measure should not be used to pay for programs that benefit narrow, favored constituencies.

I doubt that this ambition by the majority to micromanage the war will be their last attempt. Are they envisioning assuming command and control of the positioning and movement of our troops; of setting daily targets for air strikes; of determining our negotiation strategy with allies and opponents?

□ 1815

Perhaps a war room should be set up outside this Chamber so that they can make it easier to offer instructions on the battlefield.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I want to thank Mr. OBEY for yielding me this time. I want to thank Mr. MURTHA for his leadership. And I assure them that I agree with them in principle. I just disagree in process.

The American public knows a simple truth: you cannot be against this war and vote for \$100 billion to continue it.

The Democrats were elected in November because, as recent polls consistently show, the American people want us, are actually expecting us and are demanding of us that we, the Congress, bring our troops home as soon as possible. They do not trust the President to do the right thing. They want us to hold him accountable. The public didn't elect Democrats to bring our troops home in 2008. They elected us to be bold, to bring our troops home now.

Let me make myself very clear. I will not stop, I will not rest and I will not back down in my fight until every last American soldier is home safely with their families.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to this irresponsible spending bill.

Mr. Speaker, we owe it to our brave service men and women who are fighting for freedom and democracy in Iraq to make sure that they are the best equipped and most successful troops in the world. While the Democrats would have you believe that this legislation does just that, it couldn't be further from the truth.

This supplemental is a prescription for defeat in Iraq by tying the hands of our military leaders and setting a date certain for withdrawing our troops. If we fail in Iraq, the resources now devoted by terrorist organizations and nations sponsoring terrorism there would be turned to spreading terror around the globe, including, again, on American soil.

It is through the hard work and sacrifice of our American troops that the ideals of freedom continue to be spread. We owe them the resources they need to complete their mission, but this bill does not meet that threshold.

Mr. Speaker, I am also alarmed that the Democrats are treating a wartime, let me repeat, wartime funding bill as a collection cup for pet projects.

Many Members have already mentioned the litany of pet projects in the bill, so I do not need to repeat these so-called domestic emergency spending provisions. I would like to mention, though, how ridiculous this bill must seem to troops and their families listening or watching us on C-SPAN.

Mr. Speaker, I am not sure how I will respond when asked by constituents why funding for some \$15 billion in pet projects is necessary when attempting to fund the global war on terror.

Mr. Speaker, I have no doubt that some of these extraneous provisions may be worth examining, but how would we know? We did not hold oversight hearings on these issues and have, therefore, abdicated our responsibility to the taxpayer. If there is a problem, I am sure we can make the necessary fixes in regular order.

I urge my colleagues to vote down this legislation and fund our troops with a clean supplemental bill.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. LARSON), the caucus vice chairman.

Mr. LARSON of Connecticut. Mr. Speaker, I rise in strong support of this legislation, and I commend Chairman OBEY, Chairman MURTHA, and Speaker PELOSI for putting it before us today.

I come here also to speak to my colleagues on the other side of the aisle. With all sincerity, no one questions your patriotism or love of country. And yet we hear you come down here and belittle the proposal that we have before us and call Democrats defeatists, when it is you who have surrendered your judgment. You surrendered that judgment when you didn't listen to Scowcroft or Eagleberger or Baker or Kissinger or even Powell or Shinseki.

When you don't listen to the generals or even the soldiers in the field, you

mock men when they stand up here and in principle, like JACK MURTHA, who you know have always stood on behalf of the troops of this country, and today offers more than \$4 billion more than the President has put forward. But because of your blind, myopic allegiance to a failed policy, you have surrendered your judgment to what is the right thing.

Chairman DREIER asked us what is victory. Victory is joining with us in this proposal. Victory is once again standing on the Capitol steps hand in hand, as we all were against the war in Afghanistan, and once again fighting terrorists by going after the guys who actually took down the buildings, who hit the Pentagon.

Stand with us in the war against terrorism. End this God-awful situation in Iraq. Provide the Iraqis with the back bone that they need to stand up by giving them the tough love and the deadlines that this legislation requires.

Mr. LEWIS of California. Mr. Speaker, could I ask how much time we have remaining on both sides.

The SPEAKER pro tempore (Mr. HASTINGS of Florida). The gentleman from California has 1 hour and 6½ minutes. And the gentleman from Wisconsin has 1 hour and 16 minutes.

Mr. LEWIS of California. Mr. Speaker, I will reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1¼ minutes to the distinguished gentleman from Ohio (Ms. KAPTUR), a distinguished graduate of the University of Wisconsin and featured in the Wisconsin alumni magazine.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman, the fine chairman of our Appropriations Committee, and say he would know that because he also is featured in the same magazine.

Mr. Speaker, I rise today in support of this first counteroffensive to the Bush administration's reckless approach to the global war on terrorism that has yielded an Iraqi civil war, over 3,200 U.S. dead, nearly 25,000 injuries, the evaporation of the coalition of the willing, tens of thousands of dead Iraqis, growing terrorism, hatred of America across the Islamic world, and shock and dismay among America's closest democratic allies globally.

The Bush administration has no answers. In fact, their budgets for this war reveal how lost at sea they are. Every single year they have asked for more in emergency add-ons than they planned to spend in the base budget bill itself.

Yet our brave troops fight on to hold the military edge. And this bill helps us fight harder for them by not asking them to bear the full burden of this war, because it sets a timetable for progress and requires the President to meet benchmarks he, himself, has set.

Our vote today funds our troops but, importantly, signals that victory means one-third military and two-thirds diplomacy and good governance and sets a timetable to get there, not



just militarily, but strategically and diplomatically.

If they knew what they were doing, these expenditures would have been built into the base budget, not afterthoughts. Look how out of touch they are with what was required: FY 2001 (Emergency Supplemental): \$13.9 billion; FY 2002 (Supplemental): \$3.4 billion; FY 2002 (Supplemental): \$14.1 billion; FY 2003 (Supplemental): \$66.0 billion; FY 2004 (Supplemental): \$86.1 billion; FY 2005 (Supplemental): \$79.0 billion; FY 2006 (Supp): \$69.3 billion.

Additionally, there is the critical money appropriated by Congress that the Administration did not even think to ask for: FY 2005 Defense Appropriations Act: \$25.7 billion; FY 2006 Defense Appropriations Act: \$50 billion; FY 2007 Defense Appropriations Act: \$70 billion.

Despite Congress voting all the funding that was requested, and even adding some additional where necessary, how is that our soldiers across the theatre don't have the right equipment? Just today, I received a call from an uncle of a Marine about to be deployed to Anbar Province:

"His Kevlar vest isn't the right size, he has no visor to properly sync with his laser-guided weapon. The Marines are having to pay for supplies themselves like fire retardant gloves, duct tape, 550 cord, oil lubricants for the weapons, not enough boots, two sets of uniforms rather than the five they should be issued, and they are too big."

Our vote today funds our troops. But importantly signals that victory means  $\frac{1}{3}$  military and  $\frac{2}{3}$  diplomacy and good governance and sets a timetable to get there, not just militarily but strategically and diplomatically.

It falls to the Democrats to pick up the pieces of a failed foreign policy. And that is exactly what we are doing with this vote. No one here is operating under the illusion that we are presented with good choices. Importantly, this vote funds the troops we have in theatre. Although this bill holds the hope of re-deploying our troops more effectively no later than a year from now, it continues to impose almost the entire burden of the mission in Iraq on our military. Meanwhile, U.S. policy is exacerbating terrorism and begetting violence that could spill over into Jordan, Turkey, Bahrain, Kuwait, Pakistan, Lebanon, and Saudi Arabia—all while the Afghan war is becoming more challenging.

Whatever happened to the coalition of the willing?

Where are the neighbors of Iraq?

Where are the diplomats to address the Israel-Palestinian standoff?

In Egypt, 70 percent of the public unfavorably views the United States. In Jordan, U.S. favorability has fallen to 15 percent. In Saudi Arabia, from where the majority—9–11 terrorists emerged, the U.S. is disliked by 76 percent of its citizens. Gallup polls tell us why: America is viewed as not on the side of rising popular expectations for a more democratic way of life. The United States is viewed as a promiscuous culture in moral decay. Abu Ghraib affirmed them in their views.

Granted, no single vote here will quickly repair the damage to our nation's prestige, mend the broken hearts, or put back together the broken lives of thousands of American and Iraqi families.

No single vote will invigorate Iraq's neighbors to promote regional stability.

No single vote will win the war on terrorism.

No single vote will free America from her dangerous dependency on imported oil from dictatorships.

America faces a strategic challenge much larger than Iraq. It requires aligning America on the side of democratic dreams of underprivileged people, not just the super-rich, in the vast undemocratic places where terrorists are being spawned. The Bush Administration's proclivity to support the aristocrats of the world at the expense of everyone else is raining havoc down on our world as Big Oil lines up to pump out Iraq's oil—Exxon Mobil, Conoco Phillips, Chevron Texaco, even foreign companies as Total, Royal Dutch Shell, and BP.

I am not entirely comfortable with this vote.

I imagine no Member is entirely comfortable with spending another \$100 billion, on top of \$379 billion, on the war in Iraq, a war that has now lasted longer than World Wars I and II combined.

In my congressional district in Northern Ohio, communities are struggling to revive an unresponsive economy. Families are having trouble making ends meet.

In Ohio, we desperately need new roads and bridges and sewers. We need health care and education. But the Bush Administration is obsessed with Iraq. Billions of dollars for Iraq—pennies for Ohio. We are shortchanging our citizens and our children in the name of a failed policy.

This vote, however, marks the beginning of the end of the Bush Administration's colossal foreign policy debacle.

Our vote today will ensure a beginning to an end of this failed foreign policy that decouples our military from a failed foreign policy, of the immense drain on our purse, an end to the injuries to, and deaths of, our brave soldiers. And an end to the growing disrespect of our great country in every corner of the world.

I have opposed this war from the beginning. I said on this same floor in October 2002 that war against Iraq "will not make America safer, because unilateral military action without broad international support will isolate America further. It will thrust us into the position of becoming a common enemy in a volatile region where anti-western terrorism grows with each passing year. It will not make the region more stable either. The Bush approach will yield more terrorism and instability, not less."

How I wish that I could say I was wrong in 2002.

But what I feared most has come to pass.

In December 2005, General Abizaid said: "The battle against Al Qaeda will not be primarily military. It will be political, economic and ideological. If you look at the geography of Al Qaeda, there is not a place to put a military solution."

Since returning from Iraq, I have repeated what Generals Petraeus and Odierno said to us: "Victory is one-third military, two-thirds diplomacy and good governance." America has focused all of our efforts on our military campaign, while the Commander-in-Chief has failed to support our soldiers with diplomatic and political efforts to wrap around their operations. Instead, these valiant men and women fall victim to a Commander-in-Chief who has not only bungled the war on terrorism, but utterly failed in his role as Diplomat-in-Chief for our nation. He is isolating America. Why should our soldiers bear the heavy burden of winning when the good governance piece is completely absent?

President Bush refuses to listen, refuses to change course. His obstinate attitude is shocking.

I am voting for this supplemental precisely because it turns up the pressure on President Bush and forces him to account for his disastrous strategy. The status quo is not an option.

This war must end. Although this emergency supplemental spending bill is not a perfect solution to this vast problem, the legislation points the way to a long-overdue course correction.

It is important to note: it does so without endangering the courageous and patriotic soldiers serving us in the Middle East. It is an exquisite response to the false choices the Bush Administration specializes in offering to us.

Mr. LEWIS of California. Mr. Speaker, I reserve my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Ladies and gentlemen, let me just say this: the American people are waiting on this Congress to finally stand up and be Congress. This is one of the reasons why we are in the position that we are in right now is because Congress has not done its job.

One of the most sterling moments of that was 2 years ago when it came to attention on this floor that our young men and women were over in Iraq without body armor. Every news cast had it where they were going into dung heaps, into landfills, trying to get body armor.

It was Democrats, at that time, that stepped forward and put the amendment in the resolution to make sure that our troops have body armor. And that is the genesis of this legislation.

This is a big ball game, and you have got to get to first base first. And what we are saying is, when we move out with this resolution, paramount is taking care of our troops, making sure that they have the body armor.

I am here to tell you the American people know that this war has had a tremendous drain on our American economy. The importance of this measure, ladies and gentlemen in this House, is that we cannot go forward without the confidence of the American people. Passage of this bill gives us that confidence.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I come to the floor here, Mr. Speaker, to stand up for this Constitution, for our United States military, for our Commander in Chief and for the future and the destiny of America, because we need to take another level up along on our destiny.

But this Constitution gives this Congress only three things we can do with regard to war. One of them is to declare war, which we have not done since World War II, one of them is to raise an Army and a Navy, and by implication, an Air Force, and the next one is to fund it. There are no provisions in there for micromanaging the war, and that has been clear, and it is

a historical precedent, and there is no precedent throughout the last century, at least, that allows this Congress to assign 435 generals to this task.

And so, Mr. Speaker, I would submit that this is an unconstitutional appropriations bill. And if it should go to the President's desk, he should veto it in its entirety and bring it back here. Force this Congress to do the right thing that is constitutional and not be micromanaging in this war.

This is not a General Pelosi war to fight. This is a Commander in Chief, George W. Bush, fight.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM), a member of the committee.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in support of this legislation, in support of our troops, in support of our veterans, and in strong support of ending the Iraq war.

After 4 years of mismanagement, mistakes and excuses, the Bush administration and their supporters in Congress continue to be comfortable with a "stay the course" policy, while American troops are in the middle of an Iraq civil war.

Passing this supplemental appropriation requires leadership. It will be the Democrats passing this bill, taking the first historic step towards ending President Bush's Iraq war.

It will be Democrats who hold President Bush and President Maliki accountable for achieving the political conditions that will allow U.S. troops to come home safe and soon.

Speaker PELOSI, Chairman OBEY, Chairman MURTHA all deserve to be recognized for their courage and their leadership in bringing this war to an end.

And I urge all my colleagues to support this bill and take the first important step towards ending the war in Iraq.

Mr. LEWIS of California. Mr. Speaker, I yield my colleague, BOB INGLIS from South Carolina, 2 minutes.

Mr. INGLIS of South Carolina. Mr. Speaker, I rise today to say that setting deadlines for withdrawal from Iraq is unacceptable. I am in agreement with the concept of adding a series of success checkpoints, and I suggested as much in a letter to the President 2 weeks ago. It worked before when we set deadlines for a new constitution and elections, and I think it could work again.

But withdrawal is the Democratic leadership's only solution if the Iraqis fall short of the benchmarks. That is simply too simplistic. It is too limiting. It is tying the hands of the President and the Pentagon.

We should have benchmarks, but the response shouldn't be all or nothing. These benchmarks should carry a gradation of consequences, rather than an all-or-nothing withdrawal.

□ 1830

Pulling back to the perimeter is an obvious step between surging and with-

drawal. There are other gradations that our military leaders could propose to the President.

To begin an immediate withdrawal upon failure of a benchmark is like writing a lease with an eviction-only remedy for a late payment. It makes sense to have a section in the default paragraphs calling for a late payment fee before you begin the eviction.

The leadership in Iraq needs to know that they don't have forever to make the decisions regarding dividing up the oil fairly and regarding returning Baathists to positions of public service. They need to know they don't have forever in coming up with a working model of pluralism. We are providing their protection. We have the right to tell them to hurry. We have an obligation to our servicemen and women to tell the Iraqi factions to hurry.

But we don't need to tie the hands of our field commanders and our President with an arbitrary withdrawal date, predetermined by some political purposes and not by what is happening in the Iraq.

The circumstances on the ground in Iraq have changed at least three times since we went in—from an action against a dangerous regime, to an action against insurgents, to a civil war between Iraqi Shias and Iraqi Sunnis.

The circumstances may change a couple of more times before we get Iraq to reasonable stability, and, who knows, the Iraqis may ultimately want us to retain a base or two.

This bill overreaches. This bill improperly limits the options open to our commanders and our troops. This bill makes no provision for any number of successes in Iraq, which are still quite possible. And I urge its defeat.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HINCHEY), a member of the committee.

Mr. HINCHEY. Mr. Speaker, the bill before us provides an honest and sensible solution to one of the most complex and volatile problems ever to confront our Nation.

More than 4 years ago, this administration engaged in an unnecessary and illegal invasion of another sovereign country, and that has now been followed by almost 4 years of an increasingly disastrous occupation. All during that time, the Republican Party held the majority in this House, and they conducted no oversight of this activity whatsoever, and the consequences have been disastrous for our Nation.

This bill now provides us with the means and the direction to change these disastrous decisions made by this administration and the failure of oversight of the Republican Party. It enables us to help our troops. It provides them with the equipment that they need to carry out their obligations and responsibilities now theirs. And it provides us with a means to remove ourselves in the appropriate way.

Anyone with any sense is going to vote for this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Wisconsin (Mr. OBEY) for yielding.

And, Mr. MURTHA, you were right, and the leadership.

I rise here today because I stand next to those who have lost their lives, so many of them around the country, but so many in Houston, Texas.

I said I would travel with this board from Houston to Washington, and I said that I would do what was right to make their sacrifice one that we continue to honor. We mourn them. Their families mourn them.

This is the right direction because the military goes to battle, but we go to war, and the Constitution does say that this Congress can declare war. It was not declared. And, frankly, it is not an interference. The generals are working, but we are redirecting policy.

In fact, we are providing for unit readiness, length of deployment, time between deployments, money for Afghanistan, money for prosthetics, money for brain injury. We are providing for a new life for these soldiers when they return home. And like the former member of the Intelligence Committee says, this bill is right. I quarreled with it. I fought with it. But I believe it is the right thing, though many of us want a different direction.

Vote for this supplemental.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, as a founding and active member of the Out of Iraq Caucus, someone who identifies closely with the peace movement and a "no" vote on the war itself, I rise in support of this measure because for the first time we have a date certain for the war to end, a date when U.S. combat troops must be out of Iraq.

It is not the bill I would have written, but it moves us closer to the goal, as clearly stated by Speaker PELOSI, of ending the war in Iraq.

Like many progressives, I have consistently voted against funding for this war. We have withstood Republican critics who say we are hurting the troops, because we know the way to care for them is to get them out of the meat grinder that is Iraq.

This vote draws a clear line between those who want to stay indefinitely in an unwinnable war and those of us who, along with the majority of Americans, want to end it. After 4 horrifying years of war, finally the issue before us now is when, not if, we will leave Iraq.

We aren't going to end the war with any one vote, but this vote should be the beginning of the end of this tragic chapter in our history. It will have my support.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think perhaps this is the single worst bill to come to the floor since I have been in Congress.

It is likely unconstitutional. It creates 435 Commanders in Chief. It attempts to micromanage the war. It threatens our national security. It contains billions in unrelated spending. It wraps old-fashioned pork in the American flag. \*\*\*

Twenty-five million dollars handed out to spinach growers, \$74 million for peanut storage, \$35 million for NASA.

Mr. OBEY. Mr. Speaker, I demand the gentleman's words be taken down.

The SPEAKER pro tempore. The Clerk will report the words.

Mr. OBEY. The gentleman referred to us as producing "bribe-as-you-go" legislation.

Mr. HENSARLING. Mr. Speaker, in the interest of having the House have its proceedings move forward, I ask unanimous consent to withdraw the offending word or words.

The SPEAKER pro tempore (Mr. HASTINGS of Florida). Is there objection to the request of the gentleman from Texas?

Mr. OBEY. Mr. Speaker, reserving the right to object, let me simply congratulate the gentleman for withdrawing those words.

The SPEAKER pro tempore. Without objection, the words are withdrawn.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for the remainder of his time.

Mr. HENSARLING. Mr. Speaker, again, \$74 million for peanut storage, \$35 million to NASA, \$283 million for dairy products.

I question, is this the Democrats' version of fiscal responsibility? Is this their version of reform? Our national security should not be handled so frivolously. The cost of fighting this war obviously is high. The cost of fighting this war is obviously high, but the cost of losing this war is even higher.

I would say to my Democrat colleagues, if you don't believe in the mission, if you don't believe that our troops can win, then you have the power to bring them home, and bring them home today. But we shouldn't employ this slow-bleed strategy that could deny our troops vital reinforcements and vital equipment and open up pork-barrel spending to finance it.

A great Nation deserves better. We should vote this bill down.

□ 1845

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, the main responsibility of leadership is to lead, and that is exactly what Speaker PELOSI, Chairman OBEY, Chairman MURTHA and other members of the Democratic leadership team are doing, and they are doing it with a plan.

My constituents who want this war ended as quickly as possible can take

heart in the fact that this supplemental sets a time certain to begin to pull our troops out of Iraq and bring them to a peace-loving home, a home where we value peace, a home where the will of the people is listened to and heard, a home where we will continue to protect and promote democracy.

I support our troops, I support leadership, I support peace, and I support this legislation.

Mr. LEWIS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. BRADY).

(Mr. BRADY of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRADY of Texas. Mr. Speaker, I know that good people disagree on this war, but, in my heart, this bill betrays our troops, ensures defeat and guarantees that when our fighting men and women come home to America, the terrorists will follow.

This bill cannot stand on its merits, but is brought with promises of spinach and peanuts and pork.

Not content to let our soldiers win this war, this bill instead substitutes a brilliant military strategy that gives our enemies this timetable: America will raise a white flag next year, but if you fight harder, we will quit sooner.

Thank God General George Washington wasn't hamstrung with such brilliance.

After the attacks of 9/11, I recall our enemies predicting America did not have the backbone or the will to persevere in this war. This bill proves them right.

On Monday, we buried one of our heroes in our community, Private First Class Cory Kusters. As I witnessed the remarkable courage and faith of his family, as I watched his flag-draped coffin presented at the National Veterans Cemetery surrounded by his friends and airborne brothers saying their final good-bye, I promised myself I will not quit on our soldiers, I will not quit on their mission. I will not guarantee America's defeat, nor allow future generations of Americans to live in terror because we lack the courage and conviction of the greatest generations that preceded us.

Mr. MURTHA. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the amendment.

It is time to give the best fighting men and women in the world the policy that they deserve instead of the failed policy we have thrust them in the middle of.

After years of a blank check, the House of Representatives is finally representing the American people. They have told us to fund these troops, and we do in this bill. But they told us to make the Iraqis stand up and negotiate an end to their civil war, and this bill

has in it the benchmarks and the leverage necessary to do that.

We have sent the best men and women in the world to execute the worst policy in the world, and finally this House of Representatives is representing the will of the American people. They say fund the troops, and we do. They say change the policy, and we do. And they say let the Iraqis take responsibility for ending their own civil war, and we do.

This is a policy as good as the men and women who are doing the fighting.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE. Mr. Speaker, this is supposed to be a war supplemental bill, but there is so much nonwar spending in this bill. For example, one portion of the bill dumps millions of dollars in Liberia. The last I saw, Liberia is not even on the same continent as Iraq. And why does this bill have anything to do with funding Liberia and their needs?

But more importantly, this bill puts our troops at risk, because it sows the cloud of defeatism and cynicism that seems to be predominant in Washington, D.C.

Congresses before us have tried to run the war, even as far back as the Continental Congress. They were so upset with George Washington, they wanted to get rid of the Commander in Chief and replace him with somebody else. His comments to the Continental Congress then are worth noting today. He said, "We should never despair. Our situation before has been unpromising and has changed for the better. So it will again."

And that is what we must do. Support our troops. Give them the troops that they need to finish the mission that we have asked them to accomplish on behalf of national security.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, the American people have paid a tremendous price for our 5-year occupation of Iraq. Over 3,100 U.S. lives have been lost and more than 23,000 wounded, and nearly half a trillion taxpayer dollars have been spent. In my own congressional district, nine servicemembers have given their lives to the conflict in Iraq.

I am committed to bringing our troops home safely and as soon as possible. The legislation before us today holds the Iraqi government accountable by imposing strict benchmarks for success. If the President cannot show that the Iraqis have met these standards by July 1, 2007, a troop withdrawal will begin immediately and must be completed within 180 days.

These measures not only provide the support our troops need and deserve, but they also force this President to think twice before asking our brave military men and women to serve a third or fourth tour in Iraq, and requires and provides the resources our troops need when they come home.

But this bill also honors our veterans by investing billions of additional dollars for their health care. And, for the first time since this war began, Congress is not giving the President a blank check.

Mr. Speaker, I believe we can bring a reasonable, timely end to the war in Iraq, and if this bill does that, we will also protect our troops.

I urge my colleagues to cast their important vote for this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, this is an unusual spending bill, because we are voting to spend money for the military while putting conditions on the use of that money that will make it highly likely that our military will fail. That doesn't make any sense.

This bill is also an example of the wisdom of the Constitution that was written so many years ago, and we would be well advised to respect the wisdom of that Constitution that separates the powers among the branches.

We need to understand our role here as a Congress. It is not to micromanage dwell times and to put limits on deployments so that the sergeants and the captains who are jumping through enough hoops as it is have one more set of hoops to jump through, courtesy of the United States Congress.

History will not end on your schedule. We need real leadership from this House to focus on what America's vital national interests are and how we will pursue those interests for the long term.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MEEK).

(Mr. MEEK of Florida asked and was given permission to revise and extend his remarks.)

Mr. MEEK of Florida. Mr. Speaker, I am glad to be down here, and I am glad that the chairman brought this bill up.

I can tell you the only thing that I can see in this bill is ultimate accountability and oversight by this Congress, which hasn't happened in the last two emergency supplementals, those that I voted on and those that I voted in the affirmative on.

But the good thing about this bill is that we have the troops back. We are saying that they have to be prepared, just like the Department of Defense says that they have to be when they go off to war. This is actually in this bill.

We look at this bill dealing with health care for our veterans, we look at planning, we look at the needs of our troops. Once they get back here to the United States, this bill covers and starts that investment that we have to make to make sure that we take care of our troops in the field and when they get back here at home.

So this is very, very important, Members. I would hate for my Members on either side of the aisle to be on the other side of this bill, because you have

a lot of explaining to do when you get back home, the reason why you voted against this bill. You can call Members of Congress, General X and General Y, but the bottom line is accountability is in this bill and funding.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman very much for yielding.

Mr. Speaker, I would suggest that this is an extraordinary moment in American history. Indeed, I would suggest that this is an unprecedented moment in world history.

I know of no example in the history of mankind where a Nation at war with troops in the field has announced that on a date certain almost 2 years off it will simply unilaterally stop the war. I don't believe that has ever happened before in human history, and I believe it is a stunning moment.

What I do not understand is how you can explain that or defend that to either the soldiers you are asking to fight for the next year and a half or to their families. And I am not the only one who finds this to be a strange policy, a dangerous policy, a risky policy, an ill-advised policy.

The Los Angeles Times wrote just a few weeks ago, "It is one thing for the House to pass a nonbinding vote of disapproval. It is quite another," they said, "for it to set out a detailed timeline." It then went on and said, "This is the worst kind of congressional meddling in military strategy." Those are the words of the Los Angeles Times.

Then let's look at another source. In 2005, now majority leader of the U.S. Senate HARRY REID said, "As far as setting a timeline, that is not a wise decision, because it only empowers those who don't want us there."

The chairman of the Senate Foreign Relation Committee, JOE BIDEN, said a deadline for pulling out "will only encourage our enemies."

Senator HILLARY RODHAM CLINTON said, "I don't believe it is smart to set a deadline for withdrawal."

This is a policy that makes no sense, and this is a policy that can do nothing but harm our troops and our Nation.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

(Mr. WYNN asked and was given permission to revise and extend his remarks.)

Mr. WYNN. I thank the chairman.

Mr. Speaker, I rise in support of this bill. But it is not the bill I wanted. I think we should begin an immediate troop withdrawal, but this is a good compromise bill that has the virtue of setting a date certain.

Now, I hear my colleagues on the other side of the aisle talking about "micromanagement." Well, I will tell you, we have great United States troops who perform admirably in spite of the incompetence and lack of planning by this administration. And I will

tell you what our troops deserve. Number one, they deserve that we meet the readiness standards that our military has established, and this bill says it. We will meet our readiness standards, and we will make sure our troops are adequately trained and adequately prepared before we deploy them.

The second thing they deserve, and this is very important, they deserve accountability by the Iraqi people. The Iraqis need to disarm their militias. The Iraqis need to come up with a political solution. The Iraqis need to divide the oil revenues. That is not something the military can do.

Third, our troops deserve a date certain not because we are "losing the war," but because we are going to take a new direction that relies on negotiation and diplomacy, rather than warfare and bloodshed.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. REGULA), a member of our committee and the ranking member of the Financial Services Subcommittee.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

□ 1900

Mr. REGULA. Mr. Speaker, I rise today with regret to express my opposition to this supplemental appropriations bill. I oppose this bill because rather than the bill before us, we need a bill that cleanly has as its objective providing support for our troops, not a bill that is saddled with all kinds of extraneous programs, programs that should stand on their own merits, not be used to gain support. We need a bill that will have as its goal stability in Iraq, that will enable the Iraqi people to take responsibility for the future of their country.

The Iraq Study Group report has one recommendation that summarized the need for a clean supplemental that will provide the funds necessary to achieve the goals we all want for the future of our forces in this conflict, and I quote from this report: "If the Iraqi Government demonstrates political will and makes substantial progress towards the achievement of milestones on national reconciliation, security and governance, the United States should make clear its willingness to continue training, assistance and support for Iraq's security forces and to continue political, military and economic support for the Iraqi Government." And this is important: "As Iraq becomes more capable of governing, defending and sustaining itself, the U.S. military and civilian presence in Iraq can be reduced."

That is really what the goal of this supplemental is. I think it is vitally important that we have a clean bill that makes clear our goal of success in Iraq, that will reflect honorably on the sacrifices that have been made by the Armed Forces of our Nation, that is part of securing for the people of our

country freedom from terrorist threats.

I urge my colleagues to vote against this collection of unrelated expenditures. Vote instead for a clean bill to support our troops.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished caucus chairman, the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I thank the gentleman very much for yielding me this time.

As we work to craft this legislation and build consensus, Americans read headlines that said something like: "Democrats divided, Democrats in disarray." But the truth is we were being deliberative.

We spent weeks listening to the diverse members of our caucus, folding their input into this bill, and I am confident we have produced a strong and pivotal piece of legislation because we drew from the broad spectrum of all of our Members. We are a diverse caucus and our diverse experiences and backgrounds reflect the priorities and perspectives of all Americans. I am proud of our caucus and this legislation we have produced.

We all seek to heal our Nation by ending the Iraq war. For the first time in 4 years, almost to the date, we have an opportunity to vote for binding legislation that changes the course in the Iraq war. This legislation ensures that the United States forces in the field have all the resources that they require, directs more resources to the war against al Qaeda and the Taliban in Afghanistan, improves health care for returning servicemembers and veterans. But most of all, it sets benchmarks and time lines for ending our participation in Iraq.

We all seek to heal our brothers and sisters in the gulf coast who have been struggling for 18 months against the solid indifference of this administration. The emergency supplemental bill waives the 25 percent match required by the Stafford Act so that the victims of Hurricanes Katrina, Rita and Wilma can get the service they deserve.

This supplemental is also good medicine for the children in 14 States who have lost their health care. It contains \$750 million to fix that problem.

This bill also is good tonic for our veterans and active military who in many instances are suffering as much from broken promises as they are from broken limbs.

This legislation includes money to fix Walter Reed Hospital, gives better military health to our military men, improves veteran housing, and I want to say, Mr. Speaker, I do not quarrel with those people who see this as a vote of conscience. I believe it is unconscionable to ignore children without health care. It is unconscionable to leave survivors of Hurricanes Katrina, Rita and Wilma without disaster assistance. It is unconscionable to ask our soldiers to fight a war and not provide them adequate training and equip-

ment, and I sincerely believe it is unconscionable to allow this open-ended war to continue, when with this bill, we can begin its ending.

Mr. LEWIS of California. Mr. Speaker, may I have a time check.

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) has 54½ minutes, and the gentleman from Wisconsin (Mr. OBEY) has 61½ minutes.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 2 minutes to one of the finest members of our Armed Services Committee, the gentleman from Missouri (Mr. AKIN).

(Mr. AKIN asked and was given permission to revise and extend his remarks.)

Mr. AKIN. Mr. Speaker, my concern with this supplemental is that it is designed to fail.

In section 1904, funding for the Iraqi security forces will be cut if the new government does not pass a constitutional amendment to "promote reconciliation," whatever that is, to ethnic groups, I suppose. In short, to amend the Constitution in a way that is not defined in a period that cannot be completed.

Now, earlier on this floor, Representative CONYERS stated that it would take 10 years to pass an amendment to the U.S. Constitution to protect D.C. voting rights, and yet we expect Iraqis to pass a constitutional amendment to fix ethnic tensions in 6 months, not to mention the other tough challenges imposed by this bill.

This supplemental is like a promise written in disappearing ink: it is designed to fail.

During World War II, the Japanese stole blueprints of some U.S. submarines. They built a submarine, but when it launched, it turned upside down and sunk because it was designed to fail.

This substitute is designed to fail. It is designed to fail because it is going to defund the Iraqi security forces which are our best hope of success. Of all of the blood and the sweat and the tears that has been spilled in the desert of Iraq, is this how it is going to end, by a bill that is designed to fail by not funding the Iraqi security forces?

The trouble with the submarine, Mr. Speaker, is that my son and the sons and daughters of Americans across this Nation are inside. We cannot allow this substitute to pass because it is designed inherently to fail.

Mr. OBEY. Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I thank the gentleman.

I rise in opposition to the supplemental as it stands now. There are multiple reasons for opposing this measure. The first reason is that in my view we overly tie the hands of our Commander in Chief and those in the field who are leading our troops.

We cannot have a situation where this body micromanages what our

Armed Forces are doing. It is a bad precedent, and I hope that we do not set it with a vote on this tomorrow.

A second reason for opposing this measure is some of the additional added spending. I fully support spending for our Armed Forces and for our veterans, and I am pleased with the work of the committee in plussing up funds for our troops and for our veterans for things that they need. But in some other areas, such as \$25 million for spinach, which has been mentioned before, it may be needed but that should be done through the regular appropriations process.

We have an appropriations subcommittee that deals with foreign aid. That subcommittee can deal with the issue of whether Liberia should get additional funding. We have added too much to this bill when you add almost \$25 million to an emergency military supplemental.

Mr. OBEY. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) has 61½ minutes, and the gentleman from California (Mr. LEWIS) has 51 minutes.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, thank you for allocating the time for me to come and basically disagree with you on this floor, but that is what democracy is all about.

I don't believe that this bill will do what it is intended to do. I don't believe it makes good sense to say that our troops should be well trained and well equipped, and then give the President the right to waive that.

I don't believe that the President will report to us in any fashion that we can rely on in July, which will determine whether or not we get out by December or whether we continue to give assistance to the Iraqis.

I don't believe that it is enforceable, and I don't believe that this war will end by next August even though I think that is what the leadership intends for it to do.

This war has been mismanaged. We have been misled. We have been made to believe we would be welcomed with open arms. There were no weapons of mass destruction. That the troops were getting trained and success was right around the corner, and even last week when carnage was taking place in Iraq and our soldiers were being killed, this administration was out in the media talking about we were succeeding. And we will continue to be misled. This war has been mismanaged.

We don't have any friends in Iraq. The Sunnis do not want us there. The Shiites don't like the occupation, and the Kurds don't like us. We are undermined on a daily basis.

Even Mr. Maliki, who is supposed to be our ally, is working with Sadr over in Sadr City, who controls the militias. The police departments that are supposedly working to secure the people

are part of the undermining that is going on. Our soldiers, when they are in confrontations, are deserted by the very people that they are supposed to train.

General said this cannot be won militarily, it must be done diplomatically. I don't see the diplomatic effort.

I don't believe that giving \$100 billion to the President of the United States to continue this war will achieve the goal that we intend for it to achieve. I oppose this legislation. I will continue to work with the Out of Iraq Caucus, and I am hopeful we can end this war and bring our soldiers home.

Ms. SOLIS. Mr. Speaker, just a few weeks ago I visited our servicemen and women in Iraq. My visit confirmed my belief that we must support our troops and redeploy them. That is why I will vote for the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.

When I met with the troops in Iraq, they told me that they lacked the basic equipment needed to do their job, like body armor, light bulbs for vehicles, and scissors for bandages and gauzes. In some cases, they told me that the equipment they use is unreliable due to excess use. Our troops are also concerned with the lengths of their tours in Iraq; they told me that they are not only demanding, but exhausting. Our troops are being overextended. For many of them, it is not their first tour, but their second or third. Many of them have missed the birth of their children or the death of their parents.

It is time for a new direction in Iraq. The U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act does that—it gives the American people the first step in a new direction to what our troops properly deserve. A new direction, with benchmarks for success in Iraq, with benchmarks that ensure our troops have the equipment and training they need, and a benchmark that guarantees a fully funded deployment out of Iraq. This bill makes it clear, and sends the message that the majority of Americans want—an end to the war.

In the last 4 years, we have spent close to \$400 billion on the war in Iraq. The war on Iraq has claimed the lives of nearly 3,200 and more than 24,000 servicemen and women have been injured or permanently disabled. More than half of those will not be able to lead a normal life because of the severity of their injuries, impacting not only them but also their families. In the 32nd Congressional District of California which I represent, we have lost 13 sons to combat. Despite all this, the Administration has failed to outline concrete steps to end the war and has left our servicemen and women without adequate equipment and our veterans without proper care.

The U.S. Troops Readiness, Veterans' Health and Iraq Accountability Act will provide our troops with the equipment they need, require Iraqis to take control of their own country, help fight the real war on terror in Afghanistan, and establish a strategy for the redeployment of U.S. troops no later than March 1, 2008. This bill provides \$1.7 billion more for military health care, including Walter Reed, and includes \$1.7 billion more for our veterans, so those who served before and those recently serving have access to adequate care. It includes \$2.5 billion to improve troop readiness and helps servicemen and women afford housing. This bill also represents help

for those at home, including uninsured children and farmers whose emergent needs were ignored under the Republican leadership.

I don't support this war. I voted against authorization of force in 2002 and have repeatedly called for the redeployment of troops out of Iraq. The Bush Administration's failed policies in Iraq and Afghanistan have gone unchecked—until now. I'm voting for this bill because it will—for the first time—set a date for the war to end—a date when U.S. combat troops must be out of Iraq. The bill isn't perfect, but it draws a clear line between those who want to stay indefinitely in Iraq, and those like me who, along with the majority of Americans, want to end it. Passage of this bill is the beginning of the end for our soldiers not being prepared and not knowing when they will come home.

Let us not forget that these last 4 years so many of our sons and daughters and their families have given the greatest sacrifice. I remain supportive of our troops and know that they will continue to do a great job and we in Congress must do ours this week. I support the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act because I know it is the first real step to the redeployment and safe return home of all of our servicemen and women.

Mr. Speaker, I rise in strong support of the U.S. Troop Readiness, Veterans' Health, and Accountability Act H.R. 1591. Four years ago, I voted against the resolution giving the President the authority to go to war with Iraq because I had serious doubts about the need to rush into military action. U.N. inspectors were still doing their work examining Iraq's nuclear weapons program and had not found weapons of mass destruction. Our allies who supported President George Bush, Sr. for Desert Storm were not supporting us! All diplomatic efforts had not been exhausted and there seemed to be no clear goals or strategy. There was no exit strategy to bring back our troops. There was no evidence that taking action in Iraq was urgent when the fight in Afghanistan was still underway. A proposed budget for the war was never presented to Congress.

Now we are entering our 5th year of this conflict and my concerns have been proven correct. Most important, there were no weapons of mass destruction. The Taliban is re-emerging in Afghanistan because we diluted our efforts.

We still have no goals or strategy in Iraq and our reputation around the world has been seriously undermined. Thousands of young Americans have been killed, disabled or wounded. We will have spent half a trillion dollars on this war and there is no end in sight.

It's time to heed the recommendations of the Baker-Hamilton Iraq Study Group and take a new direction in Iraq. The legislation before us sets definite benchmarks and timelines that put the Iraqi government on reasonable notice that they must assume responsibility for their own destiny.

This Supplemental Appropriations Bill lets the American people know when our troops will begin coming home.

Many of my colleagues oppose setting a deadline because they believe the insurgents will just outwait us. But unless we are prepared to be in Iraq forever, this fear will always be a concern. History has shown that insurgents and terrorists are very, very patient.

The religious and secretarian hatred in the Middle East has been present for centuries

and our presence in Iraq for a few more years is not going to change that. Our presence in Iraq will just get thousands more of our servicemen and women, caught in the middle of their civil war, killed and wounded.

My Republican colleagues had no qualms about mandating to President Clinton when our forces had to come out of Kosovo. It seems to me that this is not any different.

I urge my colleagues to support this legislation that will bring an orderly, responsible end to the war in Iraq.

Mr. MARKEY. Mr. Speaker, the war in Iraq is a disaster. We are engaged in a war that should never have been fought and that was presented to the American people and this Congress over 4 years ago wrapped in falsehoods and mendacity. Our military is being drained of personnel and materiel in an occupation that, we were told, would never occur because we would be greeted as liberators.

To say that the President's prosecution of this war has been mismanaged misses the much more important point that President Bush exercised extraordinarily poor judgment in initiating an unnecessary war of choice. Our soldiers, their families, and indeed the entire country, now bears the legacy of the President's headstrong rush into this quagmire.

The President, with the Iraq War supplemental appropriations request, has again asked the Congress to give him a blank check to continue an endless and bottomless war. But that is not what the President will get with this bill. Instead of a blank check, the Congress is providing a much needed check and balance to the Executive Branch.

The bill before us today requires the President to certify to the Congress that certain tough benchmarks have been met. If he cannot so certify, an immediate redeployment of U.S. forces must commence. Under the bill, by July 1, 2007, the President must certify that Iraq has met political and military benchmarks, including the implementation of a program to disarm the militias. By October 1, 2007, the President must make another certification of Iraq's progress, including that militia control of local security has been eliminated. And even if the President is able to make both certifications to Congress, this bill requires that U.S. forces begin withdrawing from Iraq by March 1, 2008 and complete that withdrawal no later than by the end of August 2008.

These limitations on the President are important, as they will pave the way for the United States to finally withdraw from Iraq.

This bill also prohibits permanent U.S. military bases in Iraq, which is an essential precondition for the reestablishment of public trust in the United States within the Middle East and especially Iraq.

Particularly significant to me is a prohibition included in this bill which bars the use of funds from this supplemental in contravention of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. I have had to fight to include this provision in previous appropriations bills under the Republican Congress and I would like to thank and commend Chairman MURTHA for his leadership and courage on this issue. In this bill, my restriction on the use of funds for torture also includes a specific ban on the use of funds to carry out renditions, which the President has used to transfer detainees for interrogation or other purposes to countries known for the use of torture.



Mr. Speaker, I don't want to see the war continue another day. I want our troops home immediately, and I am frustrated beyond words by the President's continued intransigence in the face of overwhelming evidence and opinion. The bill that this House is debating today will take us closer to the moment when every American soldier, sailor, airman or Marine in Iraq can be brought home.

I urge adoption of the bill.

Ms. HIRONO. Mr. Speaker, the majority of Americans do not support the President on Iraq. Yet he persists.

Our caucus is united in our desire to end this war and bring our troops home safely despite our genuine disagreements as to how and when to bring this about. Within this disagreement, we reflect the broad spectrum of opinion in our country. Yet, as Members of Congress, we must take action to change the trajectory of this war, to come closer to the goal of ending the war.

By setting deadlines for the President to meet his own articulated benchmarks, this bill places us firmly on that path.

This bill is not perfect. There will be "no" votes because there are deadlines and "no" votes because the deadlines are too distant. The "perfect" bill that all of us can support will not materialize and we will be no closer to ending this war.

At the same time, until their safe return, we must support our troops and provide them with the equipment and protective gear they need while they are in harm's way.

With this bill, Congress for the first time since the war began is not handing the President a blank check or rubber stamping his failed conduct of this war.

I strongly urge passage of this bill.

□ 1915

Mr. OBEY. Mr. Speaker, I reserve the balance of my time for tomorrow.

Mr. LEWIS of California. That is agreeable to us.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 261, further proceedings on the bill will be postponed.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### IRAQ WAR SUPPLEMENTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to follow up on the debate which we have just temporarily postponed until

tomorrow morning on the supplemental appropriations bill for the Iraq war, and I wanted to start off by reiterating the statement made by Mr. SHADEGG of Arizona in which he said he knew of no point in history where a country at war declared an end date for when they would be getting out of that war, the point being that most countries fight wars until the war is finished, based on the war situation, and not based on a calendar and an arbitrary date at that.

I think that is very important as we have this vote tomorrow because we are, in fact, hurting our troops if we make the announcement right now to the enemy that by March of 2008 we will be leaving. We know particularly in the Middle East and in Iraq that in cities such as Tikrit and Fallujah, as we have been there the last 3 or 4 years, that whenever the enemy wants to, it can lay low and wait till our troop situation or troop level shifts, and then they come out of the woodwork. I think if we do announce that we are going to be gone in March 2008, no matter what happens on the field of battle, then that enemy is going to use that same tactic to just wait until the Americans are out of town.

If we do leave that country before the job is done, then what happens, Mr. Speaker, is it could cause chaos. A civil war could erupt, and a lot of people say, well, I do not care if a civil war erupts. But how do you know it is going to stay in the boundaries of Iraq? Why would not the Shiites in Iran, for example, get involved in it? We already know they are getting involved in supplying the Shiites in Iraq with things. We do not know what will happen in that volatile area.

What happens to our ally Israel? We know that the Arab countries want to wipe Israel off the map. Are we doing Israel any favors if we abruptly withdraw and arbitrarily withdraw from Iraq?

And what happens to the oil reserves? I know it is interesting, everybody likes to say no war for oil, but the reality is you cannot fight a war without oil, and you cannot run our economy without oil, and petrodollars can stir up a lot of trouble around the globe. Just ask Hugo Chavez in Venezuela what he has done with his petrodollars, street money, and here we would be turning over the second or third largest oil reserves in the world over to a terrorist anti-American state.

Think about this for a minute in that context. America drilling and tapping into all the reserves that we have, we control 3 percent of the world's oil reserves. We use 25 percent. We import 60 percent. If you wanted to declare war on America, you would look at our oil supply, as countries have always looked at the energy or food supply of any country that they have planned to invade.

I want to say this. I represent Fort Stewart. This week the 3rd Infantry Division starts on its third deployment

to Iraq. General Lynch, the commanding general, just left on Tuesday. But back in Hinesville, Georgia, there are 318 memorial trees that have been planted in memory of 3rd Infantry soldiers who have lost their life in Iraq. I have gone to some of the ceremonies. It is a sad thing, but even as you leave the field, the memorial field, soldiers say, we want to complete this job.

I have visited soldiers in the hospitals in Baghdad and at Walter Reed and in Ramstein, Germany, in Landstuhl, and they all say they want to go back and finish the job. But I do not want to tell you that I can speak for the troops because there is thousands of them, and I always resent when people come here and say this is what the troops want, because the troops are just like the rest of America, we want a lot of things, and America is divided on this.

But I want to say to the Democrats, I think that you have done the right thing. This war has needed more oversight. I believe we as Republicans were remiss in not having more oversight. I think putting up goals in the form of what we would like the Iraqi Government to do, I think that that is fitting and proper, but I think to have hard and fast deadlines is unreasonable.

We, in this over 200-year constitutional government, cannot do things that we should do. Last year, for example, we were not able to pass a budget. We did not pass all of our appropriation bills. The important thing is the Republican Party, certainly as the majority party, we are guilty, but the point is we could not even do that in our own government. How do we expect the Iraqis to do it by an arbitrary date set?

So I recommend that we recommit this bill, hammer out some of the differences, and then bring it back to the floor in a different and improved product.

Mr. Speaker, I thank you for the time.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### IRAQ SUPPLEMENTAL FUNDING BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, those elected to serve in the people's House sometimes must decide matters of war and peace, in other words, matters of life and death, and nothing is more important.

Today we stand at the crossroads of one such momentous decision, and let

no one doubt that the lives of American soldiers and Iraqi civilians hang in the balance.

This is a vote of conscience and one of the most important votes I will ever cast in the House of Representatives.

I wish we were debating the language of the 1970 McGovern-Hatfield amendment. It called for directing funds only for the safe and orderly withdrawal of U.S. troops from Indochina. I enter into the RECORD at this point the Iraq version of the McGovern-Hatfield that I want to offer.

PROPOSED McDERMOTT AMENDMENT TO H.R. 1591, MODELED ON MCGOVERN-HATFIELD

After April 30, 2007, funds herein appropriated may be expended in connection with the activities of American Armed Forces in or over Iraq, Iran or Syria bordering Iraq only to accomplish the following objectives:

(1) the orderly termination of military operations and the safe and systematic withdrawal of remaining armed forces by December 31, 2007 and

(2) provision of humanitarian and reconstruction assistance to the people of Iraq.

SENATOR GEORGE MCGOVERN'S SPEECH IN FAVOR OF THE MCGOVERN-HATFIELD AMENDMENT, SEPTEMBER 1, 1970:

"Every senator in this chamber is partly responsible for sending 50,000 young Americans to an early grave. This chamber reeks of blood. Every Senator here is partly responsible for that human wreckage at Walter Reed and Bethesda Naval and all across our land—young men without legs, or arms, or genitals, or faces or hopes."

"There are not very many of these blasted and broken boys who think this war is a glorious adventure. Do not talk to them about bugging out, or national honor or courage. It does not take any courage at all for a congressman, or a senator, or a president to wrap himself in the flag and say we are staying in Vietnam, because it is not our blood that is being shed. But we are responsible for those young men and their lives and their hopes."

"And if we do not end this damnable war those young men will some day curse us for our pitiful willingness to let the Executive carry the burden that the Constitution places on us."

"So before we vote, let us ponder the admonition of Edmund Burke, the great parliamentarian of an earlier day: 'A contentious man would be cautious how he dealt in blood.'"

I wish the legislation before us was that direct, but we do have legislation before us and a momentous decision to make.

Over 4 years ago, a vote in this House enabled this President to take America to war. Earlier today I told Speaker PELOSI that I will cast my vote to bring America home to peace. I want to get all of the soldiers out of Iraq tomorrow, but safely extracting over 140,000 U.S. troops cannot be done overnight, and the safety of our soldiers in leaving Iraq must be paramount.

I want to end this incomprehensible war tomorrow, but as a medical doctor, I know that no matter what we do today, this war will go on for decades in the minds of psychologically wounded soldiers and in the bodies of severely injured soldiers.

What we have before us today is a first step, and despite my serious mis-

givings about it, it is a step in the right direction, which is out of Iraq.

Speaker PELOSI has given America a plan, a timetable and a course of action demonstrating the leadership we have not seen from the President on Iraq. The President has lost the trust of the American people, and he deepens the mistrust at home and around the world every time he speaks about Iraq.

Instead of confronting reality, the President stubbornly adheres to a fiction of his own creation that a military victory will be achieved in a nation in the throes of a full-scale civil war, with an American presence inciting unspeakable violence against our soldiers from all sides.

The Iraqi people have seen their lives sink into misery. Millions have fled their country or been displaced from their homes. Those remaining live in terror that a trip to the market will end their life, and very often it does.

The Iraqi people want us out because they see the U.S. as an occupier. They want the U.S. out because it is their country and their oil, not ours.

This war should never have started, and Americans at the end of the 21st century will still be paying for this Presidential misadventure.

Preying on the fears of the American people, this President devised a war-first policy, unheard of in American history. The President implemented his chilling foreign policy in Iraq. When just cause for a war did not exist, the administration made it up, preying on America's vulnerabilities after 9/11.

They called it a war against terror, but now we know it was a war of revenge and a war to control oil. It was never about exporting democracy. It was always about exploiting the fears of the American people to do what the White House had been planning long before 9/11: Invade Iraq, control its government, and enable foreign oil companies to reap a bonanza of profits by extracting Iraq oil and perpetuating America's addiction to oil.

Speaker PELOSI has given us a plan, not as strong as I want, but one I will support as a bare minimum because it has a timetable and demands accountability from Iraq leaders; bare minimum, but dramatically better than what we have, a war without end from a President incapable of only escalation, not negotiation.

The heroes of our Nation, the soldiers fighting and dying on the front lines, deserve to come home. The Iraq people deserve to decide the future of their own country.

With this legislation, we acknowledge the wisdom and the will of the American people. We realize that the Iraq war is a fraud, and perpetuating it by sacrificing more innocent U.S. and Iraq lives is a tragedy we can no longer tolerate.

I urge my colleagues to vote with Speaker PELOSI and vote for peace.

□ 1930

#### GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, today I proudly rise to celebrate a remarkable anniversary, that which marks a day of Greek independence which took place 186 years ago on March 25. It is also a celebration which recognizes the strong ties that bind together the United States of America and Greece.

What a blessing to be able to straddle two brilliant cultures that have been the beacon of liberty and justice for humankind. Nothing makes me prouder than to call myself American, for it was the United States that welcomed my grandparents and allowed them to bring their morals, their values, their faith, their rich ethnic traditions and work ethic to this great land of opportunity and freedom.

God, indeed, shed his grace on America, as he has on Greece, the prototype for the democratic republic that became the United States. Imagine, what a curious notion it may have seemed thousands of years ago when the ancient Greeks put forth the idea, a man being able to engage in self-rule. The originality of ideas articulated by Plato, Socrates, and all the great thinkers of ancient Greece served as an inspiration to America's colonial leaders like Jefferson, Washington, Madison, and Hamilton.

It is the American revolution in turn that likely served as an inspiration for the Greeks that were suffocating under the Ottoman rule. 186 years ago the people began a journey that would mark the symbolic rebirth of democracy in the land where those principles to human decency were first espoused.

March 25, 1821, is a historic day for all people who treasure freedom. Greece rose up in arms, fought brilliantly and finally overthrew the Ottoman rule, showing the world their deep and abiding commitment to democracy. The flag of revolt was raised by Bishop Germanos of Patras. Cries of Zito I Ellas, "Long Live Greece," and Elefteria I Thanatos, "Liberty or Death," could be heard from the mountains of Suli to the shores of Crete.

In fact, the bravery of the Suliotes demonstrated that acts of courage were not limited to the men of Greece. The fierce patriotic villagers of Suli fought the Ottomans in several battles. News of their victories spread to nearby villages and inspired others to revolt. When the women, who were left alone, learned the Ottoman troops were approaching their village, they began dancing the Syrtos, which we still do today, a patriotic Greek dance. One by one with the children in arms, the Suliote women sacrificed themselves for the cause of liberty. They chose death rather than oppression.

Stories of sacrifice like that of the Suliotes are plentiful. These actions, as

well as the exploits and victories of the Greek Navy under Miaoulis, Kanaris, Bubulina, and Kolokotronis inspired the people of Europe, who finally brought pressure upon their governments to intervene in the fighting and compel the Sultan to recognize Greek independence, which finally secured the Treaty of Adrianople in 1829.

We commemorate Independence Day each year for the same reasons we celebrate our 4th of July. It proved that a united people through sheer will and perseverance can prevail against tyranny. Both of our nations share an illustrious history in defense of this cherished ideal. Both countries have shared a common commitment to the principles of equality and freedom. In many ways, the American experiment might not have been possible without the Greek experience.

Indeed, as Thomas Jefferson noted: "To the ancient Greeks we are all indebted for the light which led ourselves, American colonists, out of the Gothic darkness." Democracy and freedom are the guiding beliefs that give hope to millions around the world.

Remembering the sacrifice of the brave Greeks who gave their lives for the cause of liberty helps us all realize how important it is to be an active participant in our own democracy.

As Plato noted: "The penalty good men pay for indifference to public affairs is to be ruled by evil men." Greeks, like Americans, have never been indifferent to the welfare of mankind. We share a belief that citizens must be engaged in governmental affairs and must work to promote liberty and justice throughout the world. That is why we honor those who secured independence for Greece nearly two centuries ago. Let us always remember their commitment to freedom. God bless America and Zito I Ellas.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### H. RES. 106 AND THE INTERNATIONAL ASSOCIATION OF GENOCIDE SCHOLARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I want to urge my colleagues this evening to support House Resolution 106, a resolu-

tion that reaffirms the Armenian genocide.

I also wish to express my support for its swift passage in the House of Representatives. As the first genocide of the 20th century, it is morally imperative that we remember this atrocity and collectively demand reaffirmation of this crime against humanity.

The resolution, which I introduced with Representatives SCHIFF, RADANOVICH and KNOLLENBERG, has over 180 co-sponsors. It's also the exact same resolution that passed the International Affairs Committee last Congress by an overwhelming majority.

I strongly believe it is important for Members to understand that this is a matter of historical fact. Many Turkish deniers have been meeting with Members of Congress and sending correspondence, discouraging this resolution. They are claiming that passage of such a resolution would be untimely and counterproductive.

Mr. Speaker, for 92 years this has not been reaffirmed here in this Congress. I think 92 years is far too long for a proper recognition to be made, and its reaffirmation is a matter of conscience.

In the meantime, the Turkish Government has threatened to close supply routes to U.S. troops in Iraq if this resolution is considered. It's appalling that a country who claims to be our ally would put the lives of soldiers at risk in the pursuit of its desperate campaign to deny the systematic slaughter of 1.5 million Armenians.

The highly reputable International Association of Genocide Scholars recently wrote to Members of Congress urging support for the Armenian genocide resolution, and I request permission to insert their letter in the RECORD.

#### INTERNATIONAL ASSOCIATION OF GENOCIDE SCHOLARS March 7, 2007.

DEAR MEMBERS OF THE UNITED STATES CONGRESS: We write to you as the international organization of scholars who study genocide. We strongly urge you to co-sponsor H. Res. 106, the House Resolution recognizing and commemorating the Armenian Genocide.

In three previous statements of the International Association of Genocide Scholars—first, a unanimous resolution declaring that the Turkish massacres of Armenians in 1915–1918 constituted genocide; second, an Open Letter to Turkish Prime Minister Erdogan calling upon him to acknowledge the Armenian Genocide; and third, an Open Letter concerning scholars who deny the Armenian Genocide—we have made our position clear: the historical record on the Armenian Genocide is unambiguous and documented by overwhelming evidence. It is proven by foreign office records of the United States, France, Great Britain, Russia, and perhaps most importantly, of Turkey's World War I allies, Germany and Austria-Hungary, as well as by the records of the Ottoman Courts-Martial of 1918–1920, and by decades of scholarship.

We believe it is important for Members of Congress to understand that Turkey's nine-decade-long campaign to deny the facts of the Armenian Genocide is driven by a government that has yet to engage in the honest historical self-critique that is a vital part of

the democratic process. The numerous trials and imprisonments of Turkish intellectuals and journalists and the assassination of the Armenian-Turkish journalist Hrant Dink in January make this clear. It should be noted that there are Turkish scholars who are urging their government to acknowledge the Armenian Genocide, and many parts of Turkish society share this pro-democratic perspective. We would note, however, that a government that still encourages extreme, uncritical nationalism has created a false narrative about the Armenian Genocide in order to absolve its predecessors of responsibility for the extermination of the Armenian people and their culture in the Ottoman Empire in 1915.

We are aware that you may be pressured by a small number of academics who support Turkey's denialist stance for often self-interested reasons. Such academics willingly falsify, distort, and manipulate the evidence in sometimes subtle ways to present a false view of history. These academics violate the ethical obligations of historical scholarship. We have noted that academics who deny the Armenian Genocide are no different than academics who deny the Holocaust, the Rwandan Genocide, or the Cambodian Genocide. The recent conference in Teheran devoted to Holocaust denial is a case in point. "Where scholars deny genocide in the face of decisive evidence . . . they contribute to false consciousness that can have the most dire reverberations. Their message, in effect, is . . . mass murder requires no confrontation, but should be ignored, glossed over. In this way scholars lend their considerable authority to the acceptance of this ultimate crime" (Roger Smith, Eric Markusen, Robert Jay Lifton "Professional Ethics and the Denial of the Armenian Genocide," *Journal of Holocaust and Genocide Studies*, vol. 9, Spring, 1995).

We urge you to reject the Turkish campaign of denial, as you may be meeting with groups and individuals who are ardent deniers. We would underscore that the Armenian Genocide is not controversial, but rather is denied only by the Turkish government and its apologists.

We urge you to pass H. Res. 106:

(1) It is a recognition of an historical turning point in the twentieth century, the event that inaugurated the era of modern genocide. In spite of its importance, the Armenian Genocide has gone unrecognized until recently, and warrants a symbolic act of moral commemoration. The Armenian-American community first arrived in the United States as refugees and survivors of this great catastrophe and of earlier massacres in the late 19th century.

(2) Congress will honor America's extraordinary foreign service officers (among them Leslie A. Davis, Jesse B. Jackson, Oscar Heizer, and Ambassador Henry Morgenthau) who often risked their lives rescuing Armenian citizens in 1915. These courageous American diplomats left behind some 4,000 reports totaling 37,000 pages, now in the National Archives, documents that prove the Armenian mass murders were government-planned, systematic extermination—what Raphael Lemkin named genocide. By this resolution the U.S. Congress would demonstrate that the moral principles and courage of those foreign service officers continues to represent a powerful example of American leadership. It is in the interest of the United States to support the principles of human rights that are at the core of American democracy.

(3) Inasmuch as the popular effort in the United States to rescue and bring relief to the Armenians, first from massacres in the 1890s and then from genocide in 1915, set the

stage for the era of modern human rights activism, H. Res. 106 would honor this significant contribution to United States history.

(4) We expect that the United States would not permit foreign governments to intrude on its own legislative process. We also expect that the U.S. government would not be influenced by threats to close American military bases or cut off sales of military hardware, especially when that pressure comes from a country with a deeply disturbing human rights record today, including violence and repressive measures against writers, minorities, intellectuals, and scholars.

(5) As crimes of genocide continue to plague the world, Turkey's policy of denying the Armenian Genocide gives license to those who perpetrate genocide everywhere. Just as we would not sanction denying the Holocaust, we cannot give credence to Turkey's falsification of the facts of 1915. Denial is the final stage of genocide, as it seeks to demonize the victims and rehabilitate the perpetrators.

We believe that it is in the interest of the Turkish people and their future as proud participants in the international democratic community to acknowledge the responsibility of a previous government for the genocide of the Armenian people, just as the German government has done in the case of the Holocaust.

We would be happy to meet with you in person, and would gladly supply you with the scholarly evidence that has led to the unanimous resolution of the International Association of Genocide Scholars that the Turkish massacre of over one million Armenians from 1915 to 1918 was a crime of genocide.

Sincerely,

ISRAEL CHARNY, PH.D.,  
President, International Association of  
Genocide Scholars.

GREGORY H. STANTON, J.D., PH.D.,  
Vice President, International Association of  
Genocide Scholars.

I would say, if I could quote some sections of that letter, in that letter the scholars state their position clearly, noting that the Armenian genocide "is proven by foreign office records of the United States, France, Great Britain, Russia and even of Turkey's World War I allies, Germany and Austria-Hungary."

They also say: "Just as we would not sanction denying the Holocaust, we cannot give credence to Turkey's falsification of the facts of 1915; denial is the final stage of genocide." They are unanimous in their findings.

Mr. Speaker, the American people and this Congress should deserve a full and truthful account of the role of the Turkish Government in denying the Armenian genocide. Congress should be allowed to reaffirm that genocide was orchestrated by the Ottoman Empire in 1915 to exterminate its Armenian citizens.

The SPEAKER pro tempore (Mr. HODES). Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Ms. SCHWARTZ) is recognized for 5 minutes.

Ms. SCHWARTZ. Mr. Speaker, tomorrow this body will vote on the U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act.

After 4 years of failed policies from the Bush administration, and absolutely no accountability demanded by the previous Republican-led Congresses, this body has the opportunity to say enough. We say enough to continuing the open-ended war with no end in sight. We say enough to giving away hard-earned taxpayer dollars to the Iraqi Government without any real mechanisms for accountability. We say enough to ignoring the will of the American people who have overwhelmingly demanded a new direction and a new course in Iraq.

This week the Iraq war will enter its fifth year. It has already eclipsed the length of the U.S. participation in the Civil War, World War I, World War II, and the Korean War. More than 3,200 American heroes have paid the ultimate sacrifice, while more than 24,000 have been injured, and tens of thousands of Iraqis have been killed, just as millions have been fleeing the country.

Despite this immense sacrifice and hardship, the President's war strategy has not made the Middle East or our Nation safer.

Today the Middle East is less stable than it was in 2003. An Iraq in chaos and an emboldened Iran has fundamentally changed the balance of power in the region in a way that undermines the security of our Nation and the entire region. The war has caused us to lose sight of the mission in Afghanistan where the Taliban is resurgent and Osama bin Laden, Ayman al Zawahiri, and other key members of al Qaeda, the terrorist group responsible for killing 3,000 Americans on 9/11, are still at large and still plotting against us.

Our own National Intelligence Estimate tells us that the war in Iraq estimate has increased, and the threat of terrorism globally has increased.

Just 2 weeks ago, I visited Iraq, and I met with the brave servicemen and -women. I deeply admire these individuals and their families. Out of pure selflessness and a profound love of our Nation, they have volunteered to serve. They do so humbly and honorably.

The Bush administration owes them a strategy that is worthy of their sacrifice. When they failed to provide it, we must hold them accountable. Our Nation can no longer afford the failed policies put forward by President Bush.

We must step forward, abandon the rubber-stamp policies of the previous Congress, and reassert our place as a coequal branch of government. Tomorrow we will have the opportunity to meet this obligation and put the administration on notice. The days of writing a blank check for the mistaken and mismanaged war are over.

When we send our men and women into Iraq without the proper equipment, training and rest, as the President continues to, we expose them to greater danger. This legislation we will vote on tomorrow recognizes this fact by requiring the President to honor his own standards and the standards the Department of Defense has set for the troop readiness, training and equipment.

When our own wounded warriors return to the United States, we as a Nation have an obligation to ensure that they are taken care of. There is simply no excuse for the deplorable conditions of neglect that our soldiers have faced at Walter Reed medical center. That is a national disgrace.

This legislation addresses our veterans health care crisis by adding \$1.7 billion to treat the growing number of veterans, to address the maintenance backlogs at the VA health care facilities, and to ensure a significant level of personnel to deliver quality services. This legislation recognizes that the only solution in Iraq is political and diplomatic.

As General Petraeus, the top military commander in Iraq, has said: "There was no military solution to a problem like that in Iraq."

This legislation will hold the Iraqi Government accountable by requiring them to meet their own benchmarks for political progress.

We are putting them on notice that they must take the political steps necessary to achieve stability, including disarming the militia and a plan that equally shares oil revenues around the country.

We are also sending a strong clear message to the Bush administration that they must engage in tough diplomacy needed to ensure that Iraq's neighbors do not continue to undermine the efforts of our troops or they undermine the hope for stability in Iraq.

Most significantly, this legislation will lead to the responsible end of our military engagement in Iraq through a phased redeployment of U.S. combat troops.

Instead of continuing the President's policy of open-ended commitment, strategically redeploying combat troops from Iraq, while maintaining a small presence to train Iraqi troops and engage in counterterrorism operations is the most responsible strategy in Iraq.

We will move our troops from direct engagement. It will require the Iraqis to protect Iraqis, and it will allow our Nation to be better prepared for other contingencies affecting the security of our Nation.

Let there be no mistake: this is the President's war, and the President must be held accountable for its military and diplomatic failures. With this vote, we are demanding that the President meet his obligations to our men and our women and to our Nation.

With this vote, we are fulfilling our promise to the American people that we set a new direction in Iraq.

And, with this vote we are putting forward the leadership needed to bring the war in Iraq to a responsible conclusion and bring our troops home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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#### SUPPORTING THE IRAQ ACCOUNTABILITY ACT

The SPEAKER pro tempore (Mr. HODES). Under a previous order of the House, the gentleman from Indiana (Mr. HILL) is recognized for 5 minutes.

Mr. HILL. Mr. Speaker, the stay-the-course strategy in Iraq has failed. The war in Iraq is entering its fifth year, longer than U.S. involvement in World War I and World War II. It is time to stop the open-ended commitment there. It is time for the Government of Iraq to take responsibility for their own security. It is time to start the process of bringing our troops home. It is time to refocus our military efforts to combat terrorism. It is time to send a clear message that Congress will no longer provide a blank check to fund this war. It is time to pass the U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act.

Supporting this bill supports the troops before, during, and after they are deployed. This bill enforces the Department of Defense's current standards for military readiness and provides \$2.5 billion in additional funding to ensure that our troops are properly equipped and trained; it provides \$1.7 billion in additional funding for health care for our troops, and another \$1.7 billion to ensure our veterans receive the care they need and that they deserve. We must support our troops in the theater and when they come home.

This bill is tough on terrorism, tougher than the President's current plan that pays little attention to the war in Afghanistan. It adds \$1 billion to the Department of Defense efforts there. We have lost our focus in the war on terror. We must redirect our military efforts on thwarting terrorism in Afghanistan and eliminating al Qaeda. This bill does that.

The current strategy has not worked largely because the Iraqi leadership has no real motivation to make it work. This bill holds both the President and the Iraqi Government accountable by

ensuring that real progress is made. It is time to turn over the control of Iraq to their people.

Our troops have done their part, and they have done it magnificently. The American people have done their part as well by giving us their sons and daughters who ousted Saddam Hussein. With the cost of this war approaching one-half trillion dollars, it is time for the people of Iraq to spend their dollars, supply their troops, and setting their differences. The destiny of Iraq is now in Iraqi hands.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

(Mr. KING of Iowa addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### SUPPORTING THE IRAQ ACCOUNTABILITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, tomorrow the House will vote on legislation to set a path for the responsible redeployment of American troops from Iraq. I will support this bill because it will end American involvement in the Iraqi civil war and bring our troops safely home.

This week marks the fourth anniversary of a war born in deceit and prolonged by mismanagement. I voted against the invasion in 2002; I will vote now to end this war by supporting the Iraq Accountability Act with its benchmarks and timetables for redeploying U.S. forces from Iraq.

For 4 years, previous Congresses neglected their oversight responsibilities while the administration made mistake after mistake. The congressional majority failed to conduct thorough investigations, demand accountability, or offer policy alternatives. We have paid a steep price for that neglect, including the lives of more than 3,200 American Armed Forces, with another 24,000 wounded, many critically.

The new Congress is providing long overdue leadership, taking action to

end U.S. involvement in a civil war with no end in sight. Responsible military disengagement from Iraq is in the national security interests of the United States. There are no easy, cost-free options. But our perpetual presence in Iraq has sapped our military strength, undermined our credibility around the world, and limited our investments in domestic priorities like health care and education.

This week, the House of Representatives has a choice: Either endorse the President's open-ended commitment, or adopt a plan that demands accountability, sets a timeline for redeployment, and restores the readiness of our Armed Forces.

The President's strategy of indefinite intervention is simply not sustainable. The situation in Iraq has moved beyond our military's ability to shape events in a positive direction. Extending our presence merely delays our ability to recover the ground we have lost, our diplomatic initiative, our global reputation, and the broken state of our ground forces.

The Iraq Accountability Act has three key components:

First, it uses President Bush's own benchmarks to require the Iraqis to assume responsibility for their own security. If they meet those benchmarks, all American forces would leave Iraq by the summer of 2008. If they do not, American forces will leave as early as the end of this year.

Second, the bill supports our Armed Forces by requiring the President to certify that any troops deployed to Iraq are fully and properly equipped, and that their deployment follows Department of Defense standards for readiness and rest between deployments.

Third, it provides funds needed to ensure that returning troops and veterans receive the best possible health care and other services they deserve.

The American people expect us to say where we stand on the war in Iraq. By supporting the Iraq Accountability Act we are voting to use the long-neglected powers of Congress to bring U.S. involvement in the Iraqi civil war to an end. I urge, Mr. Speaker, I urge my colleagues to support the Iraq Accountability Act when it comes to the floor tomorrow.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP of Utah addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

(Mr. PEARCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

(Mr. PRICE of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### FRESHMEN DEMOCRATS PROMOTE ACCOUNTABILITY AND OVERSIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. KLEIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. KLEIN of Florida. Mr. Speaker, I am RON KLEIN, and I represent Florida's 22nd Congressional District in Congress, which is southeast Florida, Fort Lauderdale to West Palm Beach area, and I have the privilege of anchoring tonight's freshmen's Special Order. We decided as a group of freshman, and there was a large group of us that were elected this year, to meet on a regular basis and to discuss policy, those of us who had contested races, those of us who did not have contested races, but all of us new with this process coming in with a fresh perspective and the belief that hopefully we could influence the process in a way that would move things along, which is, I think, the loud message we heard from the people that elected all of us, both Democrats and Republicans this year.

Tonight our Special Order is going to focus on the importance of accountability and oversight within our Nation's government. There is no question that the ability to exercise ac-

countability and oversight among the executive and legislative branches, that is our branch and the President's branch, is vital to making sure that our government is operating and governing within the highest ethical and moral standards, and makes sense. It is also important to make sure our government is doing the right thing for our people.

It seems that every time we are turning on the news lately or pick up the newspaper, there seems to be some story about where there is no accountability. And the oversight and lack of accountability seems to be the prime topic of conversation back home in our districts, in our offices, in our supermarkets, in our churches and synagogues. If you just think about the most recent one, the United States attorney scandal, where a number of U.S. attorneys were fired; and, of course, there is a question about for what purpose they were fired and whether there is a reason, and now there is a question of getting all the information out on the table.

The ongoing concerns over Valerie Plame and the outing of Valerie Plame. And, of course, I think most of us as Americans understand, when someone works for this country as a member of our intelligence services, we owe that person the highest degree of respect and integrity and make sure that their position is held confidential. And certainly anybody who is responsible for outing that person should be held accountable and punished.

Conditions at Walter Reed Hospital. And we are going to talk about that a little more tonight, and, unfortunately, other veterans hospitals. And I am happy to say that in my area and in many other parts of the country that there are some very good things going on in our veterans hospitals and our veterans outpatient clinics, but many times it is a matter of having the resources to have enough doctors in place. And I know I have heard from time to time about long waiting lines. But there are places like Walter Reed and other places that have now been identified where you had mold and you had ceilings falling in and lack of care, and people that were working there that were overworked and unfortunately not providing the type of treatment that should be awarded. The highest level of respect should be awarded to our men and women who are our heroes in this country.

And, of course, the no-bid government contracts being awarded to companies doing business in Iraq to the tune of billions of dollars of waste, and certainly not accomplishing the major goals. One of the goals we went in there with, of course, was to take out Saddam Hussein, but I think everybody understood very quickly that if we were going to be successful in changing the hearts and minds, that some of the rebuilding activities, getting electricity on, getting hospitals up, creating jobs, those kinds of things would

be very, very important to making the people of Iraq feel that this was a worthy cause to set up their own government. Unfortunately, we have spent billions of our money over there, and, unfortunately, the condition is in many ways worse today than it was with the fall of Saddam Hussein.

The news on these subjects is everywhere. So tonight we are going to talk about accountability and oversight, and my colleagues who are going to join me tonight as freshman Members recently elected are going to be talking about how we are working to restore those features of accountability and oversight to Washington and our government.

A couple things I just want to touch on before I turn over to my colleague Congressman HODES. On November 7, which was last year's election, we believe that the American people, I know we all heard this as we walked door to door and heard from the American people, they wanted change. It wasn't necessarily Democrat or Republican; they wanted people to come together, find common ground, and move forward. And fortunately for this country, this House has, in fact, started that process. There were six items very quickly that were passed in the beginning called the 100 Hours, the Six for '06, everything from fixing the Medicare prescription drug program, which I know many of our seniors are concerned about making it easier to use, less costly to the taxpayers; minimum wage, making the minimum wage higher, of course, is a key issue; lower student loan rates; and a number of other issues like energy policy. These are the things that we came to work on and that were done.

We also passed the lobbying reform bill and a full disclosure bill which has already significantly reduced the influence that lobbyists have on this legislative process. We need to do more, but we certainly took a lot of the right steps by not allowing lobbyists to take Members of Congress out to lunch. We had that in Florida, we changed that, and I am glad we changed that here, too.

And, of course, the earmark process. And for those of you who don't know what earmark is, that is this idea: In the past, Congressmen, Members of the Senate and House, would go behind closed doors and add millions and tens of millions of dollars, even hundreds of millions in some cases, of special projects in the dark of night to the budget without any consideration by all the Members of Congress. And that needs to change, and I am very happy to say that with new earmark reforms in place, that will change.

The way it is changing is very clear: Anything that is presented needs to be presented in the light of day. It needs to be publicly disclosed and laid out for the Members of the Congress so that a legitimate project in Alaska should be a legitimate project in Florida. Even though it may benefit one State, we all



represent this country, but it has got to be done the right way.

This week we passed important legislation which curbs waste in Federal contracting; strengthens protection for whistleblowers, and those are, of course, people that discover and come forward when there is waste and corruption in government; and also provides long overdue of the veterans health care crisis and other Federal issues. We are going to talk about accountability of tax dollars. We are going to talk about a number of other things.

I am joined by some colleagues here, and I would like to introduce them. We have got Congressman ELLISON, who is going to join us and talk to us a minute; Congressman HODES. Congressman WELCH is going to join us for a few minutes.

You look like you are poised and ready to go, Congressman HODES, so why don't you kick off and give us a little oversight on what you are going to talk about on oversight and accountability.

Mr. HODES. Madam Speaker, I thank the gentleman for being here with us tonight. I am delighted to be a new Member in the House of Representatives, the people's House, sent by my constituents to help restore the fabric of our democracy, which, during the past 6 years, has really been torn and undermined by a rubber-stamp Congress which refused to ask questions of an administration conducting its policies largely in secret, taking the American people down a path with counterfeit leadership, a leadership that used fear and intimidation to lead, instead of real leadership which helps people face reality, come together and seek common ground and solutions.

And for many people, when they think of the United States House of Representatives, they think of Congress as a body which raises revenue and figures out how to spend it. It sets taxes and sets a budget. And that is how a lot of folks think about Congress, and sure we spend a lot of our time doing that.

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But there is another very important function of the United States Congress in our constitutional scheme, and it is completely independent of what party is in the White House, what party is in the majority in Congress, what party is in the majority in the Senate. It is the way that, in the wisdom of the Founding Fathers, they set up this great government of ours so that there would be checks and balances, there would be controls. And the accountability and oversight function of Congress is what we have restored with this Democratic majority.

There have been great leaders who have recognized that important feature and that important job of Congress. And I have got a chart here, a little board and a quote that is really important and talks a lot about what it

means for Congress to exercise its function of accountability.

President Woodrow Wilson said, "It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice and to embody the wisdom and will of its constituents. The informing function of Congress should be preferred, even to its legislative function."

So here is President Wilson, some years ago, recognizing that the oversight and accountability function of Congress is perhaps even more important than the legislative function.

So for this Congress, while the last Congress might have been called "the rubber-stamp Congress" or the last Congress might have been called "the Katrina Congress" because they presided over such a disaster for us, I bet that this Congress, under Democratic majority, is going to be "the accountability Congress."

Now, one thing that is interesting, I want to take us back for a moment as we sort of set the tone for tonight to talk about something that happened in ancient times. It has been said that the ancient Romans had a tradition. Whenever one of their engineers constructed an arch, at the capstone was hoisted into place, the engineer assumed accountability for his work in the most profound way possible, he stood under the arch. In the President's war on terror, the capstone he chose is Iraq, but it is everyday Americans, and especially our veterans, returning soldiers who are wounded and our veterans who stood under the arch as it crumbled.

Over the past few weeks, we have sustained blow after blow as the President's plan fell apart. But it is not the President who will pay the billions necessary to stabilize Iraq, it is not the President who slept in molding infested rooms at Walter Reed Hospital, it is not the President who lost his job because of a political decision. But maybe it ought to be.

The confluence of events of recent weeks, the Valerie Plame scandal, the Walter Reed scandal, the politically motivated firing of U.S. Attorneys, is the result of an administration that went too far for too long without any meaningful oversight, without any meaningful accountability, without a Congress to hold it accountable. It has been said that absolute power corrupts absolutely. And for years, absolute power is what our Republican colleagues, who were in control until November of 2006, gave to this administration.

Tonight, I come to the floor with my colleagues to talk about restoring accountability to government because the arch has fallen on us, and we are going to repair it.

Mr. KLEIN of Florida. Thank you, Mr. HODES. I think you laid it out very well.

I think the average American believes very strongly in accountability

and oversight because they understand, that's how they live their lives. If you have a business, you can't do anything without keeping track of your books, keeping track of your inventory, keeping track of your personnel, your employees, and knowing that there is an end-point. And you will make money or not make money by running it efficiently with oversight. And I think that nobody is asking for any more than that in government. And, unfortunately, as you have pointed out very eloquently, that is exactly what has gone on without anybody looking after it. And many of the committees were either not operating or were abolished in the last number of years, and that just doesn't make any sense.

So I think you pointed out very appropriately that we are glad I think in a way that the Democrats are leading, but I think the Republicans are now joining us. And, again, this is a bipartisan approach to fixing this.

Mr. ELLISON, I know that you have been leading and talking about this as well, so give us some of your thoughts, please.

Mr. ELLISON. Madam Speaker, let me thank my colleagues, the gentlemen from Florida and New Hampshire, both for their eloquent remarks. I am looking to my colleague, Congressman WELCH and his remarks, but I would like to say that the bedrock idea behind accountability in government is trust in government. If somebody is not accountable, if they are not answerable, if they don't have to tell you whatever you want to know, if they can tell you to take a hike, take a walk and they don't have to listen to you and they are not answerable to you and not accountable to you, as the public, then what you cannot have is trust.

Trust goes away when accountability goes away. Trust leaves the room when there is no one to answer the question about what happened. Trust leaves the room when you cannot have a public official look you in the eye and say here is what happened, the good, the bad and the ugly.

Accountability is not about perfection because when you have a human endeavor, there is no such thing. But accountability is about being able to say, you know what, those folks up there on Capitol Hill, I believe that they are doing the best they can because when I asked my question, they gave me an answer. When I came forward with my concerns, they gave me a reply. They had the documents. They were able to say, here is what is going on.

But when government, Madam Speaker, will not answer, we have problems, we have a lack of trust, and unfortunately sometimes people disengage. But this Congress is here to turn that around. This Congress is here to say, no, there will be accountability. You can trust your government. You can expect that your government is going to be operating on your behalf.

Let me turn to an example. One example is that for the last several years

we have had prosecutors, United States Attorneys, trying to do the best they could in many instances at ferreting out corruption in government. We saw prosecutions go on, former Congressman Cunningham and others, and we saw prosecutors who were appointed by a Republican administration to essentially do their job. As you know, Madam Speaker, prosecutors are not like other attorneys. Their job is to seek justice, find the truth. They are ministers of justice, whereas other attorneys, very correctly, have, within the rules, no other obligation than to zealously represent their client. But prosecutors have a higher calling than that, and that is because it is their job to protect the public.

But what we found out recently is that eight of them have been fired, and it appears very clearly that the reasons were entirely political. Eight of them have been fired, and the evidence that has been unearthed so far in only 3 months of this "accountability Congress," as the distinguished gentleman from New Hampshire is calling the phrase, in this accountability Congress, the first 3 months we have seen getting to the bottom of this question of justice being undermined.

The Democrats have brought back accountability. And what we have seen that is unfolding right now is that the Justice Department has released thousands of pages of e-mails based on the demands of the accountability Congress, and internal documents as well, related to this U.S. Attorney scandal. These documents would not be in the public domain. They wouldn't be in front of the people. They wouldn't be available for questions to get to be asked and answered but for this accountability Congress.

I am so proud to be associated with this accountability Congress because what it means is that the U.S. Attorneys, whether they be U.S. Attorneys or food inspectors or people who work at the hospitals taking care of our veterans, they now can know that there is not going to be an intolerable condition that exists for too long before some inquiring person in Congress says, what is going on over there. Thank heavens for it.

And I just want to point out, and I will get back to this in a little while, I just want to point out that even Patrick Fitzgerald, who was a prosecutor in a recent case that you may have heard of, the Scooter Libby trial, in which he obtained four convictions out of five counts, he himself was rated as "not distinguished." He was not distinguished in the eyes of the Bush administration officials. And I can see why they would find such a gentleman as "not distinguished," because he did not evidence enough loyalty and obedience to the administration, but he certainly did bring forth some real accountability in government.

I am going to yield back now, but I am going to be sticking around because I have more to say about this. I am

going to yield back now; but before I do, I just want to say that accountability breeds trust in government and trust in government promotes an active, engaged citizenry which is fundamental to democracy.

Mr. KLEIN of Florida. Thank you, Mr. ELLISON.

I think that, again, the example you gave is something that is on our front pages. We are hearing about it and we are listening.

Some people have said, well, what is the difference if someone is coming forward or if they are coming forward under oath. Well, I like to see, when someone comes forward, that they put their hand up and say, I swear to tell the whole truth. I can't imagine somebody wouldn't want to do that and what are they hiding if they are not prepared to do that. That seems to be a little battle going on between the Congress and its investigative authority and the President. But, again, I think you put your hand up, we are expecting the truth anyway, and I think that is an appropriate thing to do.

Mr. WELCH, our representative from Vermont in our class, why don't you share with us some of your thoughts on this.

Mr. WELCH of Vermont. You know, it is very elemental: you get what you pay for, you account for what you buy, you are responsible to the people that hire you, you are responsible to the voters.

The opportunity that I have had about addressing some of these issues of accountability, maybe I can just tell a few stories about some of the hearings we have had, because it is worse than I expected. I come from Vermont, where we don't know how to waste things. We do it over recycle, reuse, do all of those things. But, you know, I am on the Oversight and Government Operations Committee, and we have had a number of hearings. And let me just tell a few stories, because I think rather than have me give some conclusions, let people just hear what some of the facts are.

We had some hearings on Iraq expenditures, Iraq relief money. And the Government Accountability Office has come up with an audit that suggests that a minimum of \$10 billion was wasted. But a couple of graphic examples came forward that just stunned me, frankly. One was that our Federal Reserve, at the orders of the government, sent \$12 billion in taxpayer money, in cash, loaded in skids, shrink wrapped in plastic cellophane over to Iraq. Now, why did that happen? It wasn't accounted for, but it was sent over there to pay salaries for people who were working in Iraqi ministries. And of course it happened at a time when there was a desperate effort on the part of the administration to show some progress in Iraq. And one of the ways of trying to show progress is that we have these ministries up and running and we have employees who are working and doing the basic jobs of

providing electricity, of dealing with pensions, and the things that are the functions of government.

Most of that money went missing because it turned out that some of it was literally handed out from the back of pick-up trucks in Baghdad, and it went to employees who were ghost employees. There were these various ministers in the Iraq Government who had a position of influence and saw an opportunity and they took it and made millions and millions of dollars of taxpayer money.

Now, you know, there is no Republican, there is no Democrat, there is no Independent who can fathom the idea of literally loading 347 tons of 100-dollar bills on C-147 transports and sending it to a foreign country to be handed out on street corners. At home, when I go to Vermont and I tell this story, I almost pinch myself because it is so astonishing that I am wondering whether it is true. Unfortunately, it is true. That is something that is happening with taxpayer dollars.

Another example: \$57 million was spent, Madam Speaker, awarded a contract to a Falls Church company that was going to construct housing in Baghdad, I think it was outside of the airport, it was going to be for, Congressman HODES is on that committee, so if I get some of these details wrong, you can correct me. But basically it was a housing contract that was going to provide housing for trainees of the Baghdad police. Not a bad idea. One problem: the housing was never built. The only residue of the \$57 million are hundreds of mobile homes that are now parked, unoccupied, on a tract of land outside the Baghdad Airport.

Now, even our government got embarrassed at this. And someone in the State Department suggested that what we should do, since we had all these homeless people in Baghdad but they couldn't live there, we didn't have housing units set up, we just had these facilities, the suggestion was why don't we donate these mobile homes to the victims of Katrina. And I had the opportunity to ask the question everybody else would ask, was it their plan to move the folks in New Orleans to Baghdad or was it their plan to move the mobile homes from Baghdad to New Orleans? That actually happened, all right.

A third example: this isn't so much about wasting taxpayer dollars; it is about violating basic rules of political integrity really.

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This whole question of global warming that people now recognize is real, it is urgent, and it is immediate. And I believe it is becoming a bipartisan consensus. We are not arguing whether it is true.

Well, we were arguing whether it was true. In our committee we had before us a press person that worked for the administration, and his job was to edit reports. Editing apparently included

taking scientific conclusions that were reached by scientists doing a scientific method, experimentation, drawing conclusions, maintaining academic integrity, and then putting them through what was an edit that was a political filter that actually changed the outcome of the scientific conclusions. And it was all intended to meet the political agenda of the administration that wanted to resist the conclusion that global warming was real, urgent, and immediate.

There are certain lines you can't cross, and that is one of them. The people of this country, obviously, are entitled to the benefit of honest science. Then we have to make a decision, all of us, about what to do with it, what policies should we pursue. But, bottom line, we have to have that integrity.

So these are just a few examples that I was exposed to as a Member of Congress serving on committees. And I think it reinforces the point that you are making because every American wants and is entitled to accountability, honesty in whatever element of the government we are working in, with our finances, with the services of scientists, and every other sector.

So my friend, Mr. KLEIN, those are a few of the experiences I have had serving on a committee here.

Mr. KLEIN of Florida. The examples obviously go right back to what I think we all believe in strongly as Americans: common sense. Use common sense when you do anything. When you make decisions, use common sense. When you follow up, use common sense. I mean, the examples that you have cited are so extraordinary, they defy common sense.

Mr. WELCH of Vermont. It is really true. And it is not a partisan thing. I am trying to figure this out because all these things did happen on the Republican watch. And it is a Congress that I think turned its back on its responsibility. But I sometimes wonder whether that concentration of all power and a reliance on ideology meant that if you had an ideology and you had a set of facts and if they didn't fit, you would throw the facts out and stick with the ideology. But it is not a productive and winning strategy. So I have been mystified by it.

And, Ron, you and I come out of State legislatures that are smaller, where Republicans and Democrats tend to work together. You have this close relationship and a lot of this stuff just doesn't happen there. So it is mystifying to me how it happens here. But I think it is a lot less likely to happen now that there is a cop on the beat and that our committees are just checking under the covers to see what is going on.

Mr. KLEIN of Florida. I am glad to see, Mr. WELCH, some of the legislation coming forward. Mr. WAXMAN and others have proposed eliminating or limiting no-bid contracts and putting all this out there. And I think this is a bipartisan issue. Nobody seems to have

any problem with it. But I think, as you said, it is long overdue.

Madam Speaker, we are joined by another Member of our freshmen group, and it is Mr. PERLMUTTER from Colorado. We are now geographically dispersed from the Southeast to the East to the Midwest and the West.

So why don't you give us some of your thoughts from the Colorado perspective.

Mr. PERLMUTTER. Good evening to my friends from the freshmen class. And I just want to say I listened to my friend from Minnesota as well as my friend from Vermont, and the reason we are here, the reason Mr. ELLISON is here, the reason Mr. WELCH is here, Mr. KLEIN is here, Mr. HODES is here is because this Nation wanted checks and balances, and checks and balances means accountability.

There has been no accountability in Washington for the last 6 years; and as a result, we have had a variety of problems that have continued to arise again and again and again and again. And we can start with the no-bid contracts in Iraq, and the fact that there is some \$10 billion that has evaporated into the ether. That is the kind of thing that we have to stop, and that is the kind of thing that the people of America voted to bring a Democratic Congress into being so that there were checks and balances to these no-bid contracts; checks and balances to a loss, a complete loss, of \$10 billion, the whereabouts of which we are going to try to find, as the Congress of the United States of America is supposed to do, so that we act as a counterbalance to the executive branch. We aren't just here as a rubber stamp.

So start with Iraq. Let us talk about Katrina and the response that was just a horrible failure by this administration to a massive disaster in the United States of America, and the response after the disaster occurred has also been a disaster. As a member of the Financial Services Committee, it is clear that now we are 19 months after the hurricane which basically decimated New Orleans and many cities along the gulf coast, and yet we have not reconstructed, renovated, rebuilt much of the housing that was completely obliterated in that storm. So not only was the initial response a poor one, but after that the response has been very minimal and has to be improved. That is what checks and balances are about.

Checks and balances are when an administration, for whatever reason, releases the name of a CIA agent to punish her, to punish her husband, to whatever. It is completely wrong and needs to be stopped. And that is why people expect accountability in our government and they like checks and balances.

We have had revelations, Mr. KLEIN, over the past 2 or 3 weeks as to some of the conditions, particularly at Walter Reed but other veteran hospitals. Again, checks and balances and accountability would rein in excesses or

neglect, one or the other. We have seen far too much of it. And we, as part of this freshmen class, are bringing those checks and balances back.

Now, obviously the other side doesn't like it. My friends on the Republican side, today they have been complaining with no end as to the approach we are taking to bring benchmarks to this war in Iraq. And they are complaining and complaining and complaining. But, finally, there are going to be checks and balances on this President and the way he has conducted the war in Iraq.

We are supporting our troops. We are supporting the veterans, and we are bringing conditions and accountability to the administration and accountability to the Iraqi people, as it is time for them to pick up what we have been carrying now for the last 4 years.

The American people understand checks and balances. They were tired of one-party government that led to excesses and neglect. We are here to provide accountability. That is exactly what we are doing. The administration doesn't like it. My friends across the aisle don't like it. But that is what the people sent us here to do, and that is precisely what we are doing.

And with that, Mr. KLEIN, my friend from Florida, I would like to yield back to you or to any of our other friends who are on the floor with us tonight to talk about why we are here.

Mr. KLEIN of Florida. Thank you, Mr. PERLMUTTER. And I think we have heard from some of our friends and we have a lot of others within the Democratic side of the freshmen class. There are 41 of us. It is a big class this year, along with the rest of them, Republicans as well. And I think the message is pretty clear, the things you are talking about, the checks and balances. And, by the way, we have our checks and balances with the President. There are also checks and balances with all the agencies. And those are some of the things we are talking about tonight, to be sure things are operating the way they should. A big budget. A lot of money. It has to be spent properly. We feel very committed to that.

Mr. HODES, I know you want to add another thought here.

Mr. HODES. Madam Speaker, I was thinking about what our colleague Mr. WELCH talked about in terms of the investigation into the way in which the administration may have interfered for political purposes with the administration of justice by the United States Attorneys, causing the firing of United States Attorneys for political purposes. And it is interesting to me.

I come from New Hampshire, a small State. And probably many of the folks who may be listening tonight and many people in this Chamber, although there aren't too many, have heard of the name Daniel Webster. And Daniel Webster said a very important thing. He said: "There is nothing so powerful as the truth." And, really, that is what we are talking about.

Our colleague Mr. ELLISON talked about trust, and what we are really

talking about is bringing truth to government, bringing integrity to government, bringing openness, bringing transparency, authentic honesty back into the Halls of Congress and wherever oversight and accountability take us. And in terms of what is happening with the United States Attorney scandal, if we have learned one thing about this administration, it is how it responds to its critics. When someone says something they don't like, they get rid of them. The current U.S. Attorney scandal is really just the latest example.

And now folks are probably seeing that there is a conflict. The White House doesn't want people from the White House to come to Capitol Hill in the open light of day under oath to tell the truth to committees in Congress and committees in the Senate. And the question you have got to ask is, what is there to hide? Why not come, take an oath, tell the truth, and deal with the issues?

I started my legal career in New Hampshire as a prosecutor. I was hired by a good Republican, a man named David Souter, who is now sitting on the United States Supreme Court. And what I learned as a prosecutor from David Souter was that the critical thing about the prosecutor's role was that the prosecutor serves the people. My job was to stand up and serve the people of my State. The job of the U.S. Attorney is to stand up and represent the people of the United States. U.S. Attorneys don't represent the President. They don't represent any particular politician. They represent all of the people. And so their judgment has to be independent judgment in order to see that justice is done because what we are after is justice, not political retribution.

So you can imagine what happens in our great system of justice if instead of thinking about truth and justice, the United States Attorney is motivated by political influence. It perverts the system of justice. It means no justice can be had. So the investigations that are going on now, the accountability and oversight over the administration having the folks come down and talk to our committees is absolutely critical. It is fundamental to the preservation of the democratic fabric of this country, because if an administration, if White House officials can exert pressure on the United States Attorneys and remove their independence, then the people can't depend upon our system of justice.

So this may be one of the most important of the investigations and the new accountability that we are seeing in Congress. And, frankly, what I have said to folks back home is we are not going to let this go by without getting the answers. So when folks see the battle over the subpoenas, when they see the White House resisting having its people come down, folks are asking why. What are you afraid of? Let the truth come out. Let's find out what

happened. Now, that is accountability. That is oversight, and that is why the American people sent us here.

Mr. KLEIN of Florida. Well said. I know that Mr. ELLISON wanted to add something to that also.

Mr. ELLISON. Madam Speaker, I thank the gentleman for yielding.

I would like to see if the gentleman from New Hampshire would yield to a question.

Mr. HODES. Absolutely.

Mr. ELLISON. Are you familiar with the terminology "a chilling effect"?

Mr. HODES. Absolutely, sir.

Mr. ELLISON. If a prosecutor, a minister of justice, is required to make sure he doesn't step on any toes of the administration or a particular political power or to make sure that he is not supposed to offend a particular party and if such a prosecutor were to do so, they might lose their job, could that have a chilling effect on the zealous prosecution of anybody who might violate the law?

Mr. HODES. Mr. ELLISON, that is called a Siberian express. That is not just a chilling effect. That is ice cubes in your shoes. That puts the fear in the prosecutor. Now, prosecutors are brave people, and these U.S. Attorneys were brave people standing up to do their job. But it has to have a chilling effect, and it is exactly what we are talking about. The independence of our United States Attorneys is the hallmark, the foundation of the Federal system of justice, and it has to be preserved. And that is why it doesn't matter whether the White House is Republican or Democrat. If this was a Democratic administration that was doing this, we would be doing the same thing if we were following Woodrow Wilson's advice and doing our job here in the Congress.

Mr. KLEIN of Florida. Mr. PERLMUTTER is about to jump through the microphone.

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Mr. PERLMUTTER. Madam Speaker, I do have a point that I want to make. The power of the Federal Government is awesome, and if anybody is on the receiving end of the power of the Federal Government, you have a tough hill to climb. So the reason the people expect their U.S. attorneys and their government to operate in truth and honesty and in justice is because that power is so great, and when it is abused, the trust of the people goes right out the door, and without the trust of the people, we don't have much of a government here.

The people, in their unbelievable wisdom, maybe that is a little over the top, but the people in their wisdom chose to elect a Democratic Congress and a Democratic Senate because they know checks and balances can stop that kind of abuse. And we are seeing it now.

It is a shame that we see that U.S. attorneys, who could have been fired for any reason except for reasons that might ultimately be unethical, were

being let go and were being threatened. That is just wrong, because the administration wanted to see the power of the Federal Government come down on somebody they didn't like.

Mr. KLEIN of Florida. Madam Speaker, we have one of our senior Members present, you can tell because the rest of us freshmen have dark hair, one of the senior Members who is a mentor to all of us. Mr. LARSON of Connecticut is one of the people that truly all of us look up to. Please join us.

Mr. LARSON of Connecticut. Madam Speaker, I thank the gentleman for pointing out my age, but I am here primarily to salute you for continuing to do this kind of work.

I think, as Mr. PERLMUTTER pointed out, that the American public, who is always further ahead than the Congress is, found its voice in the November election, and you have given voice to the American people here in the people's Chamber, especially in the area of accountability. Because, quite frankly, as we debate today and throughout the remainder of this year, what we hear from our colleagues on the other side, and I don't question their patriotism or their love of country, and hopefully they don't question ours, but I do question their judgment.

Prior to you getting here, there has been a surrender of judgment on issues of oversight and review. So you are a breath of fresh air. You are the sunshine that needs to shine into every corner of this great institution of ours, because the people you are sworn to serve and who you have come here to represent, we are clearly proud in the leadership, of the efforts of this majority-making class that has set a new direction and a new course for this great country of ours.

I thank each and every one of you. Thank you for the opportunity to speak here.

Mr. KLEIN of Florida. We appreciate your guidance and counsel. As we are listening to many of the things, we are glad to add a new energy to the process here. You can see it here tonight.

I want to bring Mr. ELLISON back in. He was really making a passionate statement.

Mr. ELLISON. I also want to add my voice to great things to our leadership, which includes Mr. LARSON from the great State of Connecticut. He is an able and well-qualified leader, and it is just great to see him setting the proper tone for our class.

My question was this. We have several Members of the bar who are now in Congress, and I just wanted to throw a question out.

The President has offered to make a deal, and the deal is that the Democrats could interview, not under oath, not on the record, certain White House aides about this scandal regarding the firing of the U.S. attorneys who have been, it appears, perhaps fired for prosecutions they did do and for prosecutions that in their discretion they did not do that could somehow benefit

somebody who was running on the other side.

My question is, how does this deal stand in the light of this new spirit of accountability? This deal that would say, yes, White House aides can come in, no going on the record, no under oath, no transcript, behind closed doors, how does that deal stand in the light of this new spirit of accountability?

Mr. HODES. You know, I can give you a perspective on that. I won't take too long to do that.

My experience, and I had many years as a prosecutor and also many years as an attorney in court, is that the oath that you take to tell the truth is a powerful thing. It is a meaningful thing, and it is an important thing, because when a person swears to tell the truth, it has the effect of opening one's eyes to the importance and the majesty of the process that is involved in coming before a body, whatever body that is, and holding up your right hand and swearing to tell the truth.

What happens then is, frankly, the person who is going to tell the truth and swears to tell the truth is subjected to a host of requirements and possible penalties if they don't tell the truth. That also turns out to be a powerful motivator.

In this country we have trial by jury where witnesses come to tell the truth. We have investigations by Congress where witnesses come to tell the truth. And that really has proven to be the best, clearest, most open way in an open, transparent democratic government, like the one that we want to have and want to preserve, to get to the truth.

That is all we are asking. We are not intending to ask folks to say or do anything they didn't do or to tell us something that isn't so. We just want to get to the truth.

So a deal that has people behind closed doors without a transcript of the proceedings, with no way to review what has been said and no ability to do anything if they don't tell the truth, just doesn't cut it.

Mr. KLEIN of Florida. Obviously there are so many things to talk about in terms of the oversight and accountability. One of the things that I think really hit hard for a lot of the people, particularly if you served in the military, was the Walter Reed Hospital revelation.

Many of us have not served in the military. We may have some family members that receive veterans benefits and things like that. We think of people we ask to serve our country or may have served in the past. They are American heroes on so many levels, and they deserve the highest level of care. So it was shocking, and then shocking even more so when we found out this has been going on for a while.

I think this oversight we have been talking about, the accountability, the proper funding, the proper level of care, doctors, nurses, things like that, so

many people in the system are doing good jobs, but there are clearly deficiencies.

Mr. WELCH, you have some thoughts on that.

Mr. WELCH of Vermont. Yes, I do. Every American is appalled at what was revealed, the degrading circumstances for our troops at Walter Reed. There were many things that were obviously disturbing about it, the vermin, the rodents, the peeling paint, the unsanitary conditions.

But that is the tip of the iceberg. What was really heartbreaking when you met the veterans was that they were completely lost and abandoned. We had people with head injuries that had very severe cognitive problems who were in an administrative morass and nightmare. They were abandoned really for 4 months before anyone knew that they were there.

We had amputees who were a mile away from where they needed to be without prosthetics and were supposed to somehow find a way to walk to where their doctors' appointments were. The administrative breakdown was enormous, and it really reflected a culture of disregard.

One of the things that came out as we started investigating this situation out at Walter Reed was that the breakdown of services was very predictable because there was a substantial reduction in the number of personnel that were needed to provide the services.

Step one, you know that if you are having significant increased military activity in Iraq and Afghanistan, you have to anticipate you will have an increasing need for services to treat injured soldiers.

Two, in response to that, the government, the Bush administration, following its ideological hard line about privatization, put to bid certain services that were being offered at Walter Reed. It turned out that the government workers who were government workers had an opportunity to bid on that. They had the lowest bid. Mysteriously, and we still haven't gotten to the bottom of this, Madam Speaker, their bid was adjusted upward \$7 million, not by them, but by the reviewer of bids. They then came in second, and the contract was awarded to a private company, IAP Worldwide Services.

Now, we don't know what the bottom-line connection is. What we do know is the following: Number one, what had been personnel of 300 went to 50. Now, it is cheaper to have 50 people on the payroll than it is to have 300, but you also don't get the job done, especially when the number of wounded soldiers is increasing. So that is shocking right away.

Number two, this company, IAP, had all kinds of problems, even though it received millions and millions of dollars doing Katrina relief.

Number three, the head of the IAP Company is a former very high executive in Halliburton, a company that I just have to say has ripped off the

American taxpayer and made billions of dollars on this war in Iraq.

Now, how is it that there is a disposition that is so powerful that you put privatization and ideology ahead of a bottom line, the nonnegotiable bottom line that you are going to provide the services that our men and women in the service returning from Afghanistan, returning from Iraq need? It is absolutely and completely unacceptable. That shouldn't be a bipartisan thing. We ought to be doing whatever it takes to make certain that our men and women do get the services that they need.

Lack of accountability makes people lax. They are not looking over their shoulder knowing that somebody is going to be checking to find out if they are getting the job done, if they are ripping off taxpayers, if they are performing up to standards.

That is a major responsibility. We are candid with one another. We know that people are pretty fed up with government. The reason, there are a lot of reasons for it, but one of them is they don't have confidence that we are taking care of their taxpayer dollars. That gets so embedded in people's sense that they lose faith that the government will be there when there is a Katrina, when our soldiers are coming home from Iraq. Our job, together, is to restore that confidence by performance, not by talk; by accountability.

Mr. KLEIN of Florida. I agree with that.

Mr. PERLMUTTER, I think you wanted to add something to that as well.

Mr. PERLMUTTER. I think I was elected to bring change to this Nation, a new direction to the Nation and positive things to this Nation, whether it is energy independence or assist with a whole variety of things concerning change in the direction in Iraq. I did not come looking to go on a witch hunt and to continue to do that.

The people obviously wanted checks and balances. They wanted oversight and accountability. Something like Walter Reed or something like we have just had with the Justice Department, those are things that just appeared now. These are not us going back and trying to dredge up old issues. These are things that have happened because of the neglect of the administration. These are things that appear, and we need to deal with them now.

I think the question is judgment. Before there wasn't good judgment. There wasn't oversight. There wasn't accountability. There weren't checks and balances. The people expect this from its Congress and from its Senate with respect to the White House.

Walter Reed is a shame. It is a shame. It is supposed to be one of our finest medical institutions anywhere in America or the world. It is there for our bravest men and women who have served us valiantly and have been harmed and hurt in a variety of ways, psychologically, physically, and we need to make sure that a place like

Walter Reed really does provide the care and the service and the best quality of medical services that we can provide, and not what has occurred.

The Congress today is something that gives Americans a chance for accountability, gives us a chance to deal with this administration on a straight-up basis, and the fact we are here, we are going to see improvements, just the fact that we are here, because it isn't just a rubber stamp anymore. There really is oversight.

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Mr. ELLISON. Madam Speaker, let me say in these final few moments tonight, I want to say there have been over 91 hearings on Iraq alone. But we have also had oversight hearings on Hurricane Katrina. Several of them, in fact. Subcommittee Chair Waters went down to New Orleans to get the real story from people who are living it.

On the Committee on Financial Services, we are going to be talking about predatory lending. Today we talked about executive pay and shining some light on that issue.

On the Judiciary Committee, Subcommittee Chairman NADLER held a hearing on civil rights enforcement, what is the Attorney General's civil rights division doing in the area of civil rights enforcement.

I have participated in hearings on the increase in immigration fees and how those fees are going up in a precipitous manner and questions were asked and officials were made to answer.

So as I said before, this is a time of accountability. We are slowly trying to restore the public's faith in government. They have a right to believe that their government is honest, fair dealing, accountable and transparent. I couldn't have been prouder in the committee hearings I personally have been a part of on issues from the National Security Letters and the FBI executive pay, civil rights enforcement, immigration; there has been a whole range.

I think the story is not necessarily one thing like the Valerie Plame incident or Walter Reed or the U.S. Attorneys; but there is a prevailing, systematic reexamination of how government does business. I am proud to be associated with it.

Mr. KLEIN of Florida. Thank you, Mr. ELLISON. Mr. HODES.

Mr. HODES. Thank you, Mr. KLEIN. It has been a pleasure to be with you here tonight and have this conversation with the people of this country about what oversight and accountability brings to government.

I started my remarks this evening with a quotation from former President Woodrow Wilson. And I want to go back further in time to end my remarks with a quote from John Stuart Mill who said: "The proper office of a representative assembly is to watch and control the government, to throw the light of publicity of its acts, to compel a full exposition and justification of all of them which anyone considers questionable."

And it is that light of publicity, the light that we shine with accountability that helps preserve this government and leads to an open and transparent government. I am privileged to serve on the Information Subcommittee of the Government Oversight and Reform Committee. One of the things that we did which is essential in terms of the accountability of government, we brought to the floor and passed in this Congress in a bipartisan way much-needed reforms to the Freedom of Information Act. It is an act which every citizen can take advantage of to gain information about the government, to hold the government accountable, find documents and information that is the citizens' right to have.

What we did was we restored the Freedom of Information Act to its rightful place where there is now once again a presumption in this government that the government should be open and disclose to its citizens what is going on, what it has for information and documents unless those documents fit into certain narrow exemptions. This has been a critical thing that we have done in this Congress.

I am proud to be a new Member and working hard for accountability. And when the American people see that they truly have an accountability Congress working for them to eliminate waste, fraud, abuse and corruption, to save taxpayer money, they will once again regain trust in their elected officials and in the people's House.

Mr. KLEIN of Florida. I thank you, Mr. HODES, for being part of our freshman class and our working group that is going to be here every week. The 110th Congress is strengthening oversight, and the proof is in the pudding.

People can say, I have lost confidence in Congress, but look at what we are doing. We have had dozens of hearings in the Foreign Affairs Committee just on the ability of working with our diplomatic efforts and all of the strategies in dealing with Iraq on the nonmilitary side. In the past, there have not been enough opportunities to do that.

We've had hearings on the veterans health care crisis and Walter Reed, the politicalization of the Justice Department and how wrong that is and that needs to be cleaned up, the Hurricane Katrina response and the things we are doing right now, passing legislation to truly get people back up on their feet. Global warming and energy independence was mentioned, and the fact is that we are getting down to the things we need to do as Americans to deal with our energy needs and the fact that there is an environmental impact. And, of course, upcoming hearings of oversight on everything from Valerie Plame to oil and gas royalties and National Guard and intelligence.

This is part of the mandate of the last election. I look forward to working with our freshman class. We will be doing this every week. We certainly want input from our constituents back home. Tell us what you think we can

be doing. We look forward to working with both Republicans and Democrats to build on this theme of accountability and oversight.

#### DEMOCRAT BUDGET AND TAX INCREASE

The SPEAKER pro tempore (Ms. SCHWARTZ). Under a previous order of the House, the gentlewoman from North Carolina (Ms. Foxx) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, I want to talk about two issues tonight. I am going to start out by talking about the Democrat budget and the tax increases that they are proposing, and I want to talk a little bit about the emergency supplemental. The two are tied together in many ways in terms of the hypocrisy we are seeing come forth from the Democratic leadership.

The House Budget Committee is in the midst of marking up the fiscal year 2008 budget resolution. As it currently stands, the proposed budget assumes the expiration of the 2001 and 2003 tax cuts, which have given us this vibrant economy that we have. It is going to create, therefore, a \$392.5 billion tax increase, the largest tax increase in American history.

It proposes no changes to slow the exploding growth of Social Security, Medicare and Medicaid that would result in deficit reduction.

Those 2001 and 2003 tax cuts, as I have said, have helped create a very vibrant economy. They produced real tax decreases in the tax burden on North Carolina's married couples, single parents and families. Almost every taxpayer in North Carolina, low income, single, married or self-employed would lose valuable tax cuts under the assumption in the Democrat budget proposal.

It is not a real surprise, though. We knew this was going to happen. It is business as usual for the Democrats and proves that their promises to be fiscally responsible are just empty rhetoric. I have said before this is a smoke-and-mirrors Congress, and that is exactly what it is.

It would return us to the Democrats' beloved tax-and-spend model for government. They have willfully abandoned their pledge for fiscal responsibility. They pledged to do PAYGO budget rules and spending restraint to curb the deficit, and they have done none of that.

Last year, Republicans rejected \$14 billion in nonemergency spending that the Senate tried to attach to the emergency troop funding bill, but the Democrats are doing just the opposite.

Now I want to talk about the supplemental. The emergency supplemental, the Democrats said they would never try to coerce people into voting for legislation they didn't want to vote for. Last week they said they weren't whipping this bill, they were just trying to talk people into voting for it. Well, if this is gentle persuasion, I would hate



to see what whipping a bill is. The Members on the Democrats are being threatened and coerced into voting for this. Their votes are being bought with millions and millions of dollars of pork barrel spending that has been put in the supplemental. It is really a slam against our troops.

The proper role of the Federal Government is the defense of this Nation. We may not be completely happy with every way the dollar is being spent on defense, but if that is the case, then what we need to do is have true accountability. Using the word "accountability" doesn't make it so. We heard our colleagues here talking about that. If we wanted true accountability, we would be holding the kinds of hearings that would give us accountability. Instead, we have "gotcha" kinds of hearing. Every hearing here now is a gotcha kind of hearing.

Don't take my word for the fact that this is a terrible bill that they are bringing up, what they are calling the emergency supplemental. The Los Angeles Times called for the bill to be vetoed. It said: "It is absurd for House Speaker NANCY PELOSI to try to micromanage the conflict and the evolution of Iraqi society with arbitrary time-tables and benchmarks."

So in addition to the wasteful spending that is going into the emergency supplemental, we are hearing from even the liberal press that this bill does not deserve to pass.

They are using our troops as bargaining chips. The Politico said: "Democrat leaders see this emerging strategy as a way to encourage their liberal members to vote for the supplemental budget bill."

They have willfully abandoned their pledge of fiscal responsibility, and we should not be allowing our troops to be used as a pawn in the hands of the Democrats to get funded programs they want to fund that they take off the budget because it is in the emergency supplemental. It is not a part of pay-as-you-go.

Even the Democrat leaders concede that their own bill is flawed. Democrat whip JAMES CLYBURN has described his party's proposal as a "bitter pill to swallow," again in the Politico.

We should reject this bill. I believe we will reject this bill. We need to support our troops. We need to give them the reinforcements they deserve. We need to win this war on terror. The Democrats never talk about winning; they only talk about losing. That is not the American way. The American way is to take the challenges presented to us, face them squarely, and win and do the things that are right.

#### REPUBLICAN STUDY COMMITTEE

The SPEAKER pro tempore (Mr. HODES). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, as always, it is a privilege and an honor to be recognized to speak on the floor of the United States House of Representatives. I bit my tongue over the last hour and listened attentively to some of the dialogue that was taking place. It is important, I believe, to correct the record at least on the portion I was paying attention.

The issue that was being discussed by the six or seven on the other side of the aisle was about the eight U.S. Attorneys who were fired by the President. There are great, huge, yawning gaps in the description that came out. For the benefit of the people listening to that portion of it, I will attempt to fill in the gaps.

One is the President dismissed eight U.S. Attorneys. That runs about 85 short that were fired summarily by President Clinton. Talk about a chilling effect on your ability to prosecute if you happened to have been looking into Whitewater or if you happened to have been the prosecutor of Dan Rostenkowski and you found yourself immediately fired, and then subsequent to that, your successor achieving a conviction in the case of Rostenkowski, and then watching President Clinton pardon the very subject of your investigation, I would think that would be a chilling effect on a prosecutor.

But the allegation was made that "the independence of our U.S. Attorneys is the hallmark of justice." Well, yes, I think that is true, but they serve at the pleasure of the President, and the President has the authority and he has the responsibility, Mr. Speaker, to ensure that those U.S. Attorneys are conducting their job, that they are actually prosecuting cases, locking people up in prison and not only taking them out of the crime job market, but also providing an example that keeps other people from committing crimes. When those prosecutions are not taking place at the pace they need to, if they are failing to distinguish themselves, then it is the responsibility and the duty of the President and subsequently the Attorney General to direct that they be removed.

The allegation that the firing of U.S. Attorneys for political purposes was a statement made by the gentleman from New Hampshire. Political purposes. There is no evidence that has been submitted on either side of the aisle that says they were fired for political purposes. There has been speculation, but that is an allegation that I think is a heavy allegation and it is an unjust allegation, and the people who make those kinds of allegations have a responsibility to come forward with some shred of evidence that they base their opinion on rather than wishful thinking.

□ 2100

This is no scandal, Mr. Speaker. It is not a scandal because it is eight U.S. attorneys. Eight U.S. attorneys, and there is not a partisan divide here that

can be seen. It is not like there were eight Democrat U.S. attorneys that were investigating Republicans in office. There is no evidence of that. It is more like there were Republicans and Democrats who have been admonished in the past and challenged by Members of this Congress, at least in one particular case, for not being aggressive enough, for not providing the kind of prosecutions necessary to enforce our borders.

Now, that is something that is essential to our national security, and if the allegations that are made here on the floor of this Congress and the statements that are made in committee and the witch hunt that is going on by submitting and requesting, subpoenaing the White House's closest advisers whom the President relies upon to be able to give him unfettered counsel, and they cannot be intimidated. Talk about intimidation, a subpoena to come before Congress and be questioned on the record about your most private advice to the Commander in Chief of the United States of America is what is going on here.

This is an unjust, unbalanced overreach, and it is my advice to the new majority to start acting like the majority because you are going to have to take responsibility for governing. You have not shifted gears from demagoguery of the past into the responsibility to provide policy that is going to direct this country into the future. It is high time that that happened. Break the mold. Let us go forward with good policy, and remember, if you have the gavels, you have the responsibility to make statements that are precisely correct, accurate all the way, truthful in every way possible, and move this country forward in the right direction and provide solutions, not just criticism.

I expect that subject will come up a little bit more, Mr. Speaker, within the next 53 minutes or so. Hopefully that will dispatch that subject for tonight.

But I would raise also there are two more issues before us tonight, Mr. Speaker, and one of them is hanging in the balance here in an unprecedented move, and that is the effort to provide a voting Delegate for the District of Columbia here in the United States Congress. It is an astonishing thing for me. It is an astonishing thing for me to be one of 435 Members of this House of Representatives who comes down to this floor every 2 years, and I bring my own Bible down here to make sure I am not short a Bible because I want my oath to go before God and country, for God and country, and take an oath to uphold the Constitution of the United States, so help me God. I add those words to my oath, and I have done so every time that I have been here to take that oath.

I believe that if there is a bill before this Congress, and as we analyze it constitutionally, if any of us come to the

conclusion that it is an unconstitutional piece of legislation, it is our responsibility or our duty, our obligation, our oath to uphold such unconstitutional legislation. We have taken an oath to do so. Vote "no" and clearly articulate the reasons why that bill is unconstitutional.

So Mr. Speaker, I have clearly articulated that before the Rules Committee, before the Rules debate here on the floor, and with the case of the bill on the floor, and I will seek to do that again for the edification of those that were not paying attention and still think that they can come around here tomorrow or next week or whenever it is that the majority gets the votes lined up and vote for an unconstitutional bill because they think it fits their politics. That is not what this oath is about, and so this D.C. district sets this way.

The first unconstitutional provision is this. Article I, section 2 of the Constitution says that the Representatives shall be Representatives of the States chosen by the people of the States. So if D.C., the District of Columbia, is not a State, it is a clear constitutional provision that prohibits this Congress from bestowing a Member, a voting Member representing the District of Columbia into this Congress because the District of Columbia simply is not a State.

Now, there are a couple of ways to resolve this issue. One would be to adopt the District of Columbia as a State, in which case they would get a Representative for the House of Representatives and two Senators. If that could be done and this Congress could pass it and we adopt District of Columbia as a State, that would be a constitutional solution.

Another constitutional solution would be to simply to take the populated areas outside our Federal buildings, just a little bit outside the Mall, from the Potomac River all the way up here around to the east side of the Capitol, set that aside as the District, and the balance of the District then could be ceded back to Maryland. That then could be incorporated into the redistricting process, and the people that lived in the District would be able to vote for a Representative in Congress.

But the arguments made on the other side go something like this, Mr. Speaker, and that is, well, we think that it is a violation of the 14th amendment, a violation of the equal protection clause, for people to live in the District of Columbia and not have a vote, be able to elect a Member of Congress.

I would submit, if that is so compelling that one can ignore the Constitution's clear language, then, Mr. Speaker, it is equally compelling to demand two Senators for the same region, and some will acknowledge that that is the goal, and some will deny it.

But this Constitution has always been kind of an inconvenient thing, Mr. Speaker. What is inconvenient about it is it provides constraints, constraints

for both sides, Democrats and Republicans, constraints for all of us who have a political reason or a policy need that does not consider the long-term best interests of the people of the United States.

This Constitution is the law of the land, Mr. Speaker, and I will submit that our Founding Fathers considered this when they established this constitutional Republic that we are in, and as they considered this, they looked at the democracies, the relatively pure democracies that they had in the Greek city-states 2,000 and 3,000 years ago, and they concluded that in the case of the pure democracy, the result was the same effect as if you had two wolves and a sheep taking a vote on what is for dinner. The majority rules, and the sheep is dinner.

So are we going to get let those kind of whims wave back and forth across the floor of this Congress, Mr. Speaker, or are we going to adhere to a Constitution that we have sworn an oath to uphold? I will submit that what I am seeing is the two wolves are taking a vote on what is for dinner, and the sheep is the Constitution here, and the minority in the United States House of Representatives, and I have pledged to uphold this Constitution, I will stand in the way to the last breath of an unconstitutional provision, no matter what it is.

But the arguments that were made here on the other side of the aisle primarily, Mr. Speaker, came down to this: That there are two very well-respected attorneys that have written opinions that will take the position that it is not unconstitutional for this Congress to ignore the Constitution and confer a voting right on a Member from the District of Columbia. Yet, as I look at those two names, they are high and stellar names, Mr. Ken Starr and Mr. Viet Dinh. I have worked to some degree with both of them and read their opinions, and I recognize that when one goes off to law school, one of the first things they teach you, Mr. Speaker, is argue this side of the case, now argue this side of the case, take the position on the right side, take the position on the left side.

There are two reasons for being able to argue both sides of every issue, Mr. Speaker, and one of them is so if you are hired to argue one side, you are prepared to do so; you are not stuck in an individual ideology. The other one is, if you want to survive in the attorney business, you can provide for billable hours because you are a lot more flexible to be able to go on either side of an issue.

Well, I do not allege that these legal opinions that have been produced by Mr. Starr and Mr. Viet Dinh do not have a basis. They do. I just submit that it is a weak basis, Mr. Speaker, and as I read through that, there is the foundation of the Tidewater case. Their argument there is that because a court found in favor of allowing the people in the District to have the Federal court

protection and conferred that kind of utilization of the court on the residents here in the District of Columbia, that that implies that they are citizens of a State. Well, that is an utterly weak analysis, Mr. Speaker.

Then the second argument, and that seemed to be even an argument that they hung their hat on even more, was the argument that, and believe me, the Framers understood there was going to be a District of Columbia. When this Constitution was ratified, they knew that. They defined it within the Constitution itself in Article I, but what they provided for was for the 10-mile-by-10-mile section that was laid out to become the District of Columbia for a period of time, that was from 1791 until 1801, that roughly 10-year period of time, until the Federal jurisdiction was applied here in this District, they allowed the people that before that time had been residents of Virginia to vote as residents of Virginia, and they allowed the people that had been residents of Maryland to continue voting as residents of Maryland.

So nothing changed for the people that were residents of the District for 10 years until the Federal jurisdiction was established, at which time then they did not have a Representative here in this Congress, and have not had all this time for this 200-plus years.

Well, the argument that was made by the two stellar legal scholars was because Congress allowed the people that lived here in this District to vote as residents of Maryland or Virginia, as the case may be, for 10 years, somehow that established a precedent or a constitutional right to have a Representative in the United States Congress, an utterly weak argument, and a precedent it was not.

Mr. Dinh admitted what the analysis comes down to, because there was an agreement between the House and the Senate, and the President signed the bill and let them vote conditionally for a 10-year period of time, that it was no precedent like you would get if the Supreme Court had made a decision. The only decision was no one disagreed with, so there was no constitutional argument to be resolved. In fact, no constitutional precedent was established either.

We go forward, and now equal protection under the law, Utah, to give a resident or a Member at-large so that if you are a resident of Utah, you can go and vote for your Representative in your district and the Representative that would be the Representative at-large in Utah. In fact, if you are a Member or a candidate, you could vote for yourself and somebody else to come here and do the same job. That is not equal protection under the law.

There was a case in 1961 called *Baker v. Carr* that tied this down to as close to an individual population balance as you could possibly get. That was the beginning of one man, one vote. There was a subsequent case in 1964 that speaks to it as well, but Utah also blows this Constitution sideways.

There are many reasons to vote "no" on this, and the difficulty that the majority has, and now unprecedentedly pulling a bill down as it was to go up for final passage and refused to allow a vote after days of building up to this with no explanation is unprecedented in this Congress, and that violates, I believe, the right of the people to be heard and the right of their judgment to be recorded here in a recorded vote on whether the District of Columbia will have an unconstitutional Member in this Congress or whether they will not, Mr. Speaker.

So that kind of cleans up the air here and gets us to this point where we are at the subject matter we came here to talk about, and what I would like to do to kick that subject matter off would be to yield to the gentlewoman from Tennessee, the tenacious Marsha Blackburn.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Iowa so much, and I thank him for hosting our Republican Study Committee hour this evening so that we can come here and talk a little bit about what those of us in the Republican Study Committee are doing, and certainly how we feel about the supplemental budget that is before us, a vote that we will take tomorrow. I appreciate the context that Mr. KING has brought to our debate tonight.

It is so very interesting to listen to our colleagues across the aisle. They talk about how they are going to change things, and when we talk, Mr. Speaker, about the change the American people wanted to see in November, they were not talking about subpoenas and hearings and vilifying people. The Democrats said that was not what they were going to do, and we know there are many who would like to make the President responsible for every single thing that has gone wrong.

We understand that, and we accept that, but it is unfortunate that when they come down here and they talk about honesty and accountability and trustworthiness and oversight and responsibility, their actions do not match their words. Their actions do not match their words at all.

What we continue to see in the supplemental budget, in the D.C. voting bill that they pulled from the floor today, and the budget that they will bring before us next week are a lot of accounting gimmicks, trying to move spending off line, hiding dollars, budget manipulation and deception. My goodness, this does not match up to what we hear from their rhetoric at all.

We know that there was all this talk about trying to be certain that we kept the spending low, and, Mr. Speaker, it took our colleagues across the aisle, as they took the majority, it took them 2 days to increase spending and 2 weeks to increase taxes on the American taxpayer, on the middle-class families working so hard to make ends meet, 2 days to increase spending.

□ 2115

They have spent well over an additional \$50 billion so far. Two weeks to increase taxes, and as this budget that the Democrats are working on comes to the floor next week, they are going to invoke the largest tax increase in U.S. history, \$400 billion over 5 years. That does bring us to the point of talking about the supplemental, and that is before us. Because as we hear all of this rhetoric, what we see is a budget, a supplemental bill that is to be there for our troops.

We all know that there is a lot that our troops need. When it comes to meeting their needs, when it comes to meeting their readiness, there is a lot they need. One of the reasons for that, when you go in and you look at the decade of the 1990s, budget after budget after budget, the military was cut. Funding to the military was cut. Funding to veterans, funding to veterans health care, funding to programs for the military retirees, funding for the active duty, funding for equipment, funding for artillery, funding for research and development, cut, cut, cut, cut, cut, year after year after year. The Democrats chose to cut that.

Bill Clinton chose to cut that because they had other priorities. They were in the dot-com boom. They were into issues that were other domestic issues, but the Nation's security was not a priority. Certainly, even the current Speaker of the House was quoted in last year's campaign as saying national security shouldn't be a campaign issue.

There is nothing more important than the security of our families in this Nation. There is not one thing more important.

I have so many places I could go to talk about what has happened to this budget, to this supplemental bill that is before us tomorrow. It is to be the emergency spending bill for the war on terror, for our issues in Iraq. USA Today even had an editorial calling this a bad bill, because they don't see, and I agree with them, I agree with USA Today on this, they don't see an additional \$500 million for the Forest Service as an emergency spending. They don't see \$283 million for the Milk Income Loss Contract Program as an emergency, or \$120 million to compensate for the effects of Hurricane Katrina on the shrimp and fish industry, or \$100 million for citrus assistance, or \$74 million for peanut storage costs or \$64.4 million for salmon fisheries or \$54 million for asbestos mitigation, or \$48 million in salaries and expenses for the Farm Service Agency, or \$35 million for NASA risk mitigation or \$25 million for spinach growers or \$25 million for live stock.

Even USA Today doesn't see that as emergency spending. I agree with them, because it's not.

I bet that many Members of this House had a wonderful mother like my mom has always been. My mother was always very good at saying, when I was

doing something that maybe wasn't appropriate, she would say not here, not now, this is not the place.

Well, as good as some of these programs may be, not here, not now, this is not the place. The men and women in the US military are worth more. They are worth more than the actions, the actions and the conduct that is being carried forward in this budget. It is the wrong place, and this is the wrong time to spend \$21 billion on discretionary spending that the Democrat majority does not want to carry to the floor and debate. They want to hide it. They want to keep it out of sight. They don't want anybody to know this. They just want to get the spending in there. Because, why? They want to circumvent their own PAYGO rules and their own budget rules. It is not the time; it is not the place.

Now, if the leadership of the Democrat Party is so into instant gratification that they cannot wait to take it to committee and go through the proper channels, then I think they need to have a reevaluation about what is important. I can tell you what is important to my constituents. It is knowing that when they put their head on the pillow at night, they are safe. It is knowing when they drop their children off at school, they are safe. It is knowing that when those children graduate from high school and from college, they are going to have a brighter future. It is knowing that as they work hard to build a business, that they are going to have the opportunity to grow that business. It is knowing that when they retire, that they are going to be able to enjoy every single day of that retirement.

It is knowing that, yes, indeed, they are going to be accountable, they are going to support their government, and it is knowing that their government is going to be there to support the fundamental values, the underpinning of this Nation, and to support the men and women who put their lives on the line every single day to go and defend this country and defend their freedom.

You know what, if it were not for those men and women in uniform, if it were not for them doing their job, if it were not for the fact that they have done their job time and again during the course of this Nation's history, you and I would not be standing here tonight having this debate.

There is a price that is paid for freedom. Every penny we appropriate in an emergency bill deserves to be spent on the men and women wearing the uniform defending that freedom.

Mr. KING of Iowa. I thank the gentlelady from Tennessee. Certainly I wish to associate myself with all of her remarks, and I appreciate the consistency and the persistence with which Mrs. BLACKBURN comes here to the floor and participates in committee in every way possible to move the right agenda here in America.

I reflect upon a thought that crossed my mind a week or so ago or maybe 2

weeks ago in committee, as I was listening to the kind of argument and debate that was coming from the other side of the aisle, and the discussion was about people who have food anxiety. We established food stamps for people who were suffering from malnutrition, and then we extended those benefits to those that were hungry, and now the effort is to extend those benefits, not to just those that, we can't make the argument that people don't know where their next meal is coming from any longer, so now the argument is made that people wonder where their second, third, fourth and fifth meal is coming from, and that is called food anxiety. Food insecurity is the more appropriate term they likely use, food insecurity.

It occurred to me, this Constitution, I waved it around a little earlier, provides some constitutional rights: life, liberty, and the pursuit of happiness. But as I read back through my history and recognize that FDR back in the 1930s made another speech, and it's called the Four Freedoms speech. Those four freedoms, as he defined them, are etched into stone down in FDR's monument. First is freedom of speech, the second is freedom of religion. Those are constitutional rights. Speech and religion are one and two, third and fourth are freedom from want and freedom from fear.

Now, those aren't constitutional rights. They are extra-constitutional rights, as articulated by FDR. But they were used to advance an agenda that grew government more dramatically than ever before, and it eclipsed the vision of most Americans. But they are really not rights. They are not constitutional rights. It's a vision or an image to have freedom from want and freedom from fear. Now, I don't know how you ever get to that point where you are free from fear. I don't think that can be guaranteed.

But we have gone another step now with the food anxiety or the food insecurity part. Now we have gone from our real freedoms, freedom of speech and religion, all of our Bill of Rights, to freedom from want and freedom from fear as articulated by FDR. Now, because of food insecurity language, now the argument is we need to make sure that people are free from the fear of want, freedom from fear of want.

So you should never have to wonder about whether you could pay your rent. You should never have to wonder about where your next meal is coming from. You should never have to wonder if you are going to have a job or if you are going to get fired, because government can be all things to all people. Government can take this safety net and turn it into a hammock, and no one has any anxiety. Perhaps we could cure ulcers if we could just have enough Federal money to do that.

If we are free from fear of want, we will also be free of the ambition to provide for our future wants and needs. If that's the case, the productivity in

America will go down dramatically, and we will watch this work ethic in our culture collapse. One of the things that drove me to work my entire life was fear of want and not knowing, necessarily, even where my next meal was coming from, not knowing if I was going to be in business the next week or next month, but knowing I was the one in charge, I was the one in control. I had to not only work hard; I had to work smart.

That has given millions of Americans to succeed, freedom from fear of want, a new right in this new Pelosi administration. I offer that thought for edification and consideration.

But I also recognize that the gentleman who represents the vast majority of the State of Nebraska and some of those spaces out there are, indeed, vast, Mr. SMITH. I appreciate your arrival in this Congress, the values that you bring here, and the principled stand that you take. Often there are many things that tie western Iowa to all of Nebraska, and particularly western Nebraska. I appreciate you being here on the floor.

Mr. SMITH of Nebraska. Thank you to the gentleman from Iowa. It's great to be here. I take this responsibility, not only this evening, very seriously, but being elected as a Member of the United States House of Representatives very seriously.

My primary responsibility, I believe, is to protect the freedoms that so many Americans enjoy and, perhaps, have taken for granted for a time. I think back to the terrorist acts leveled on our country, and that is a constant reminder that we cannot sit idly by, that we cannot let division sway us from our goal. I believe that one of the fundamental sources of our freedom is through economic freedom, and that is why I requested a spot on the Budget Committee.

Incidentally, last night, we had a long markup of the budget. It was very enlightening to me as a new Member, and it was very enlightening to me, I think, some of the rhetoric and the objectives of a budget. We know that so often we want to tell people, yes, in terms of the of new programs, of new spending. There comes a time, though, when we are going to have to pay for that.

There was a lot of rhetoric exchanged in terms of what tax relief has done for our economy, some would say what it hasn't done for the budget. But I don't know if it's just coincidence that the economy turned around with tax relief. I don't think it's coincidence, to be quite honest with you. But it is interesting how the allegations are leveled that the Bush administration tax relief or the Reagan tax relief or, quite honestly, the President John F. Kennedy tax relief had nothing to do with a rebounding economy subsequently.

It was very enlightening to me, in fact, when I was visiting the JFK Library in Boston, or outside of Boston. This is not the Ronald Reagan Library;

this is not the Bush 41 or the Bush 43 library. This is the John F. Kennedy Library that has an entire exhibit devoted to the economic policies of tax relief leading to economic prosperity.

I believe that it has to do with the very basics of economic freedom that individuals, families, you name it, when they have those dollars in their hands, they can spend it more wisely on the economy, rather than paying it into the government, and then the government doling it out as a redistribution of wealth or whatever the case might be.

□ 2130

But it does amaze me that we are here listening to the need for so much more spending. In fact, a high level of spending wasn't enough to get enough support, so they made it even higher to bring on more support. That concerns me, and I know that it concerns many Americans as well.

But as we were marking up the budget last night in committee well into the night, it was interesting how we heard that the majority wants to maintain the tax relief relating to the marriage penalty, tax relief relating to the child tax credit, but yet the budget doesn't show that. The budget does not show that. And it just spoke volumes, I guess, in terms of sound budgeting according to the principles I think of economic freedoms that should be instilled there.

But when we talk about something, we politicians kind of get a bad name now and then, or maybe more often than that, for saying one thing and doing another. That is unfortunate, because this budget says one thing and does another, and that is my concern.

It is interesting that there were amendments proposed for the budget resolution last night that would have solidified the tax relief one measure at a time. So there was the option of cherry-picking, if you will, good parts, bad parts, whatever the case might have been for others wanting to support these amendments. If they like the child tax credit, but didn't like the dividends reduction in taxes, they have the option to choose one without the other. Every single amendment was rejected. Every single amendment. That concerns me a great deal because, like I said, it eats away at what I believe is a fundamental freedom that we should enjoy in America, that being economic freedom.

Mr. KING of Iowa. If the gentleman would yield, and just inquire as you were working through that budget last night, what kind of message did you get from the majority party on how much support there was for the Department of Defense budget and how much support for military spending? We are having this debate here on the floor today and starting again tomorrow morning. Did you sense that there was a commitment to support our military financially, our troops, and their mission?

Mr. SMITH of Nebraska. I did not sense that commitment. It would be hard for me to speak or to speculate. And I am not here to beat up on those with whom I disagree. That is not my job.

I do believe, though, that this supplemental spending bill, and I don't want to take up all of your time, but I do want to touch briefly on the fact that this supplemental spending bill with the caveats that many would call micromanaging the war is the wrong thing to do. I don't think we want to give our enemy any hint of what our plans are. A date certain withdrawal is the wrong thing to do. Certainly that was not discussed, especially in the spending context that we have heard so much here today about and well into the future.

There is a lot we can worry about in the past, but if we don't focus on the future, we are not doing our jobs. And as we look at protecting the freedom, I can't help but think how productive we could be with a more unified approach. And I believe that military generals are trained highly, and that we should entrust in their abilities the objective of doing what they need to do so that we can see success overseas. And I cannot say that enough, but I truly believe that turning a spending bill into a bill to micromanage the war is the wrong thing to do.

Constitutionally the President is the Commander in Chief. No one else is the Commander in Chief. And the Commander in Chief makes the tough decisions. And we can again look at the past and perhaps learn from the past and apply those lessons to the future, which we must do and can do. And if we pay attention to really look at the information and the facts and the data, we can do the right thing, and that is availing the resources to our military, to those most highly trained, those closest to the situation, and allow those folks to make the right decision.

I yield back, but I certainly appreciate this opportunity and would certainly encourage my friend from Iowa to continue his pursuits here, because I think it is helpful, and I hope to join again. Thank you.

Mr. KING of Iowa. I thank the gentleman from Nebraska, a Mr. SMITH who has come to Washington to stand up for middle-American values, and to hold the line on the spending in the Budget Committee, hold the line on the constitutional issues with the micromanagement that is coming out of here with this supplemental spending bill, this emergency supplemental spending bill.

And I will make no such pledge that it isn't my job to challenge the people with whom I disagree with. In fact, I believe it is my job to do that, and I intend to step up every time and draw those bright lines when I think it is imperative that those bright lines be drawn.

So here we are with this bill on the floor being debated several hours

today, with 1 or 2 hours left in the debate for tomorrow. And maybe it will go to final passage, maybe the votes won't be there, maybe the vote will get pulled down just like D.C. voting was pulled down today. They take it all the way through the process, and, at the time it is supposed to go up on the board, realize, we lost the debate, so now we can't allow a vote. That is exactly what happened here in the House of Representatives today. The people's voice wasn't heard.

We have got a little debate to go tomorrow. People are going to sleep on this tonight, and they are going to think about the President asking for \$99 billion to provide for Afghanistan and Iraq, the surge in Iraq, the strategy that was part of the Iraq Study Group's recommendation, the bipartisan Iraq Study Group's recommendation, and the effort to succeed in Iraq.

And it is interesting that the President has retooled our approach here. We have a new Secretary of Defense, Secretary Gates; we have a new Secretary, at least an Acting Secretary of the Army, Mr. Geren; and we have a new Commander at Walter Reed Hospital, we have a new Commander of CENTCOM. And this is a new plan, a new plan put together by the individual who wrote the book on counterterrorism and the most successful general that I believe that we have seen come out of the Iraq theater, and that is General David Petraeus, I believe the most impressive military individual I have met in my time here, in fact in my life. And his strategy is part of the same strategy that the Iraq Study Group put out. And having written the book on counterterrorism and being endorsed without opposition for his confirmation for a fourth star by the United States Senate, and within a week the United States Senate is back trying to jerk the rug out from underneath his plan, trying to oppose the surge in Iraq and trying to oppose the 21,500 extra troops that go in there. And now we are seeing a little wavering, a little quavering, and some people going a little wobbly because they are starting to see the positive signs in the effort in Baghdad.

Now, the situation there is kind of interesting, Mr. Speaker. Baghdad and 30 miles around outside of Baghdad is where 80 percent of the violence in Iraq is taking place. And it occurred to me, it was actually back in December, I was reflecting back upon the 101st Airborne 62 years earlier had been surrounded at Bastogne during the Battle of the Bulge in World War II. Bastogne, a city that had seven roads leading to it and through it, was the centerpiece of the transportation link. It was the key to success or failure in the Battle of the Bulge, and maybe it was the key to victory or defeat for either side in World War II, at least in the European theater.

And so, as the 101st Airborne was surrounded at Bastogne, mercilessly being shelled by the Germans, and the Ger-

mans demanded the surrender of the 101st, General McCollum's response is famous, and it should echo throughout all of American history when he said in his response to the Germans, "Nuts." We understood what that meant, being Americans. The Germans didn't. They had to go get their linguists to try to understand what it meant, and they still, I don't think, have figured out to this day. Well, that was in one word, four letters, the American spirit of defiance, the American spirit of perseverance.

And there they were surrounded at Bastogne, hopelessly surrounded, and their response was, "Nuts." We are hanging on and we are going to defend Bastogne. And shortly thereafter we had General Patton and the 3rd Army that came and relieved the 101st Airborne. They argue to this day that they didn't need the help of the 3rd Army, that they had the Germans right where they wanted them.

That was the American spirit 62 years ago, Mr. Speaker, and today 80 percent of the violence is within Baghdad or 30 miles from Baghdad. Baghdad is essentially surrounded; it is not a stronghold. We have always gone wherever we wanted to go in Baghdad, or any other city in Iraq for that matter, even though the press calls it a stronghold. We went wherever we wanted to go, and we go more now than we did before. Baghdad is significantly pacified, but Baghdad was surrounded by peace, a relative peace at least, and the violence was in there.

Now, if we had pulled out, or if sometime in the future this side of the aisle is successful in shutting off the resources so that our military can't succeed in their mission, and we pull out of there, I believe history will judge us nuts if we do such a thing, Mr. Speaker.

There is too much at stake. There is no discussion on this side of the aisle here about the consequences for pulling out. No one has a plan for victory. No one over there will utter the "V" word, the victory word. No one will define it. They are just a group of "defeatocrats" that can't get it out of their head that America's destiny is worth more than marking political points against your opposition.

So we sit here with more than 3,000 lives sacrificed for the freedom of the Iraqi people and the destiny of the world, because if we don't defeat this enemy here in Iraq, as Prime Minister Maliki said right here behind where I am standing right now, he said, "If the terrorists can't be defeated in Iraq, they can't be defeated anywhere."

Now, if Mr. MURTHA gets his way and troops are deployed out of Iraq, the bill doesn't say where, but he has said where: Okinawa. Okinawa. Over the horizon is Okinawa, and we can put our troops over there, and then we can fly them wherever we need them whenever we need them. I would say we might as well take them right to Afghanistan. And I am going to explain the reason for that, Mr. Speaker.

First, this is a poster of Muqtada al-Sadr. He is quite an interesting character. He started out in this conflict as a militia general, and he wasn't doing very well down south of Baghdad a couple of years ago when he suffered huge, huge casualties in the Madhi militia. In fact, the casualties were so heavy that he decided to become a politician instead of a general, and so he entered into and built a little coalition and picked up 30 seats in the Iraqi Parliament. He also took over the security on the civilian side of Baghdad International Airport, along with one portion of the Shia region of Baghdad and some of the area to the south. Muqtada al-Sadr, not a friend of the United States, an individual who has empowered himself by attacking the United States and denigrating the United States and inspiring his followers the same way, and this is how he did it.

And I was sitting in Kuwait City, the date is right here, June 11, 2004, waiting to go into Iraq the next day, and I was watching al-Jazeera TV, Mr. Speaker. Now, Muqtada al-Sadr came on, this burly face, and he was speaking in Arabic, so I was looking at the crawler underneath in English, and it read just like this: "If we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu." That was Muqtada al-Sadr, June 11, 2004. Al-Jazeera TV. I attest to that; I was there, I wrote it down; I saw it; I heard it. And that is the statement that he made.

Now, I went back and picked up the book written by General Vo Nguyen Giap, and it is, "How We Won the War." And he is writing about the Vietnam war, how they won the war. And very early in the book he takes the position that because the United States did not win a clear victory in Korea, they understood that we would maybe not have the will to win a clear victory in Vietnam. So their strategy from the beginning was to fight the war in such a way that it would break down and defeat American public opinion and encourage the antiwar activists all across this country and around the world. That was a part of their calculated strategy that is in the book, "How We Won the War" by General Giap.

Now, it hadn't occurred to me that because we settled for a truce at the 38th parallel in Korea at the place, the same line as the beginning of the war was the end of the war. But because we didn't push the Communists all the way out of North Korea and draw a new line, they believe that we could be defeated because we didn't demonstrate the will to succeed.

Carl Von Clausewitz wrote the treatise on war, and the name of the book is, "On War." And he states in there, "The object of war is to destroy the enemy's will and ability to conduct war." To destroy the enemy's will and ability, Mr. Speaker. And I believe Clause-

witz lists will ahead of ability because it is more important here. Your will to succeed, your will to prevail is more important than your ability to conduct war.

In other words, if you are fighting an enemy, and you destroy their airplanes and their navy and their tanks and their guns and their ammunition, and they still have the will to fight you, they will come at you with IEDs or rocks or fists or boots or clubs, because they still have the will to take you on.

But here in this Congress, there have been dozens, there are scores, there, in fact, may be more than 100, there may be more than 200 that don't understand that when they stand here on this floor and they speak against our military's mission, they are encouraging people like Muqtada al-Sadr when he is inspiring his people by saying, "All we have to do is keep attacking Americans, and they will pull out of Iraq the same way they did Vietnam, Lebanon and Mogadishu."

□ 2145

And if we should do that, Mr. Speaker, I can show you the next poster you will see on this floor, the next quote that will show up in the news media.

This is another notorious individual: Osama bin Laden. Where is he? We are looking diligently for him. One day we will find him.

But the lesson from Muqtada al-Sadr, the lesson that needs to be understood by the Defeatocrats is that if we pull out of Iraq, we don't win there. You have al Qaeda taking over. You have Iran coming in and taking over 70 to 80 percent of the Iraqi oil. You have Iran with their hand on the valve that could shut off at the Straits of Hormuz, 42.6 percent of the world's export oil. Doing so let's them control the world economy, including that of the United States, including that of China, empowering Russia, empowering Iran, intimidating and controlling the entire Middle Eastern oil supply by Ahmadinejad. That is what is in store for us if we don't prevail.

And so Muqtada al-Sadr has laid it out, and he has got a clear vision. His vision isn't hard to figure out. General Giap has figured it out, just from seeing that we would settle for a truce at the 38th Parallel, and we have got Muqtada al-Sadr seeing that and Vietnam and Lebanon and Mogadishu, and several others, by the way.

But if we pull out of Iraq, our troops aren't going to be deployed to over the horizon, Mr. MURTHA, or over to Okinawa, Mr. MURTHA. They may get to go home for a little while and polish their boots, but they are going to Afghanistan, because that is the next stop for these terrorists that are going to keep coming at us until we defeat them or capitulate.

And so this will be the next quote you will see if we pull out of Iraq. It will be Osama bin Laden this time, and he will be saying, if we keep attacking Americans they will leave Afghanistan

the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu, the same way they left Iraq. That is what is in front of us if we don't have the will to prevail, Mr. Speaker.

And these kinds of unconstitutional supplemental or emergency spending bills that tie so many strings on to the hands of the Commander in Chief, that if he adheres to the language that is in here, ties his hands so he can't win.

Now, why would you not be for victory? Why would you send money over there and not provide a way for the troops to win?

This bill pulls us out of Iraq. That is the goal and they have said so. Their goal is not victory. Their goal has been defeat for a long time so they can say I told you so. To put a stain on this administration perhaps. To try to gain political favor, perhaps. But whatever is their motivation, I will submit that this appropriations bill is unconstitutional because it is micromanagement of the duties of the Commander in Chief.

And so I will submit that this Constitution gives this Congress three responsibilities when it comes to war. The first one is to declare war. We haven't done that since World War II. The second one is constitutionally to raise and equip an Army and a Navy, and by implication an Air Force. The third one is to fund the war. That is it. No other constitutional responsibilities. Declare a war, raise a military, fund military. But the President is Commander in Chief because our founders lived through the mistakes of trying to run a war with a whole series of micromanagers and trying to do so by consensus or majority rule within the Continental Congress.

The Continental Congress tried to micromanage the war that was fought by the Continental Army. And they were so stung by that painful effort, and the only thing that preserved them was they had the will for victory. They carried themselves through the hardest of times, barefoot at Valley Forge, because they were determined that they were going to defeat the British and establish a new nation. And that is the legacy that the founders have passed along to us. And they drew bright lines in this Constitution because they understood you couldn't fight a war by committee. You couldn't fight a war if a Congress was going to micromanage the Commander in Chief. So they drew the line clearly, and there is no equivocation, and there is no historical record about the founders wondering about who had what responsibility when it came to fighting a war. No. It was the Commander in Chief. And they gave Congress the authority, declare a war, raise the Army and the Navy, and then, I said by implication, the Air Force, and fund it.

So if you don't want to support our military, and if you don't want to support their mission, then you ought to have enough intestinal fortitude to



come down here with a bill that unfunds our military and face the wrath of the American people and the wrath of the United States military, who, by the way, are 100 percent volunteers, not just to join the military and put on the uniform, but for the mission that they are on.

Everyone there has had an opportunity to retire from the military in such time since the beginning of this conflict. Yet, Mr. Speaker, they step forward and they re-up and they volunteer in greater numbers than one ever anticipated. These are brave souls that are on a mission. And to say to them, after they have volunteered for one or two or three or more deployments, well, thanks a lot for the effort, but we are not going to let you finish the job, we are going to drag you home.

Well, I would say to that that I could quote a colonel that I went to Iraq with not that long ago, and he said, and I don't know if I will find it so I will speak from off the cuff and this will be close. It won't be probably an exact quote. He said, don't save me. I volunteered for this mission. Don't save me. I am here because I volunteered for my children. I am here to fight this war so my children don't have to fight this war. You are not doing me any favors if you try to pull me out of this mission that I am committed to. And I have children at home that I am here to defend.

Now, I would say, also, that probably the most profound statement that I heard from a military person over there was a major from Kentucky. And he is a farmer, a father, loved his cows, worried about his bull, wanted to see the digital picture of his new bull, and loves God. And he said to me, he said, we have everything we need. So when you pray for us, meaning the military, pray for the American people. Pray they understand the threat, and pray they do not lose their resolve. We will not lose ours.

That is the kind of personnel we have that put their lives on the line for the future of freedom in the world, for the safety of the American people so that we can ultimately prevail in this long, long war against these global terrorists who believe that their path to salvation is in killing us.

It is not going to be easy. It is not going to be over quickly. And, in fact, every time we step back and show weakness, it empowers the enemy and we are more likely to hear this statement sooner.

But this is not over if we pull out of Iraq, as General Pelosi and Mr. MURTHA would like to do. It is not over. They will follow us here. And they will be more empowered. They will have a base that is protected that they can operate from out of Iraq. And you hand over that oil money to the Iranians, they will be spending it to buy missiles to deliver nuclear weapons, not just to Tel Aviv, not just to Western Europe, but within a few short years to the United States. And we will face an

enemy that is a lot tougher than the one we are facing right now.

We need to resolve this issue in the Middle East now. This is the time to do so. Put the cross hairs on Iran's nuclear and tell them cease fighting this proxy war against the United States within Iraq. Resolve and pacify Iraq, and turn our focus over to Afghanistan. Because if we don't do so, this man and his allies turn Iraq into a terrorist base camp, and they turn their effort to Afghanistan to try to drive us out of there and destroy the freedom that has been established there, where people voted for the first time on that soil in all of history.

That is what we are faced with. This is a long war. We need to step up to it. We need to understand that. We need to let our voluntary military perform their mission and stand with them, because not only do we stand with our military, but we stand with them in their mission. I do so on this side of the aisle. I challenge everyone on that side of the aisle to do the same.

It is intellectually inconsistent to take a position that you can support the troops and not their mission. And it is constitutionally inconsistent, in fact unconstitutional, to micromanage a war from the floor of Congress and tie so many strings in there that they can't be met, so that it is certain that if this language passes and the President adheres to it that there will be an end to this sort of victory.

And I ask the President, Mr. Speaker, to stand on this constitutionally. He has the authority to do intra-departmental transfers. If the money goes to DOD and it is directed to an aircraft carrier and we need armored Humvees and Strykers and bulletproof vests, he can mothball that aircraft carrier and put the money where it is needed. That is why he is Commander in Chief. That is constitutional. This bill is not. And I urge that all Members stand up and vote "no" on this when it comes to the floor tomorrow.

### 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. BRALEY of Iowa). Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come back before the House this evening. And I must say that tomorrow is going to be the judgment day as it relates to Members that are willing to lead on behalf of the men and women in uniform and those that have worn the uniform, and even making sure that we take care of some of the issues as it relates to homeland security.

Today there was a 3-hour, 4-hour-or-so debate on the emergency supplemental that is coming up tomorrow. And you know, part of the mission of the 30-Something Working Group is to come to the floor to make sure the Members have accurate information

and to make sure that we provide good information, not only to the Members, but also to the American people. And having Members come to the floor that may represent one view or another is a part of our democracy, and I embrace it 110 percent.

I think it is also important for the Members to be able to receive up-to-date information and also talk a little bit about the past. And I think the past is something that we should embrace from time to time to allow the Members to be able to make a good assessment on how they should vote.

A couple of days ago, Mr. Speaker, I came to the floor and I recommended to some of the Members that it is important on both sides of the aisle that maybe some of us need to go see the wizard and find some courage and also find a heart when it comes down to standing up for the men and women in uniform.

And I talked a little bit about what is in this supplemental bill, emergency supplemental, which is over \$125 billion and which will be, from what I understand, the last supplemental outside of the budget.

Now, when we talk about this emergency supplemental, this is for a war that we are going into the fifth year of. And I just want to say that again: a war that we are going into the fifth year of. It has lasted longer than any other conflict in U.S. history. And I just want to make sure the Members understand that.

We have heard statements on the floor. Members come to the floor, especially on the other side of the aisle, saying, well, we just need to give the troops what they need and then, you know, not have any oversight or any language in the bill that may bring about accountability.

Well, I voted for two past supplementals. I said that the other night. I will say it again. Some parts of that supplemental I did not like, but the last thing, the last thing that I wanted to do was to vote against the troops having what they need that are in harm's way. And I think that is important.

I don't know how I would have been able to go home to talk to my constituents and say that I voted against the supplemental because there was a part in it that I didn't agree with, while we have folks that are in a forward area, while we have men and women on the ground in Afghanistan, while we have men and women that are patrolling the streets of Baghdad now because the Commander in Chief sent them there to do so.

We want to support those men and women in harm's way and their families while they are here, and in this supplemental we are going to support them when they come back.

We are in the majority now. The Democrats are in the majority. But we have a minority spirit, to make sure that there is no Member in this House left behind because of a lack of information on what they are going to vote

on. And that is the reason why I am here.

□ 2200

I returned back to the Capitol tonight to talk a little bit about what is in this supplemental and what has happened in the past. Now, we had a number of Members on both sides of the aisle that talked a lot about what is not in this supplemental and what should be in this supplemental in the future. And I can tell you right now, it is far beyond what the President has called for as it relates to emergency dollars.

And when I see my friends on the other side, and I do say friends, I can tell you every Member that is in leadership now on the Republican side voted for a timeline for Bosnia. I mean, I just want to make sure that Members understand that, because there may be some Members who weren't here at that time, including myself, and it is important.

When we start to close out on this bill tomorrow, you are going to have Members of the Republican leadership that are going to come to this floor and call the Speaker of the House "General" what have you, call the majority leader "General" whatever they want to call him, call the whip "General" this, that, and the other. Meanwhile, here is the CONGRESSIONAL RECORD where they voted for the very same thing when President Clinton was in office.

Bosnia didn't have half of the conflict that Iraq has now. Not even a quarter of the money that has been spent in Iraq was spent in Bosnia. I am a member of the Armed Services Committee. There is a difference when you come to the floor and speak a cappella and when you come to the floor with the CONGRESSIONAL RECORD.

Let us talk about what the CONGRESSIONAL RECORD says because I want to make sure that Members understand. And if that was all about politics, I would be home right now doing whatever, reading a book or spending some time with the family right now, because if it was about politics, I would say I want the Republican minority to vote "no." I want them to vote "no" so that they have to go home and tell their constituents that they voted against increasing veterans' health care funding, they voted against making sure that out of the 100 Stryker Brigades that we have in the Army, that they voted to make sure that some bureaucrat from the Department of Defense can waive their own rules and not make sure that those men and women have what they need to go to battle. And in every Stryker Brigade and every Stryker unit, you have to have a driver, a gunner. You have to have three individuals in that vehicle. And it is very, very important that everyone understands that we have to give our men and women what they deserve when they go into harm's way.

Let me just talk about the CONGRESSIONAL RECORD here. June 24, 1997,

House Republicans brought to the floor an amendment that would set a timeline, a date certain, to withdraw from the U.S. peacekeeping mission in Bosnia, a mission that was only 18 months old. Mr. Speaker, I said this mission now in Iraq is in its 5th year. That was 18 months old.

Now, if my colleagues on the other side want to call someone General, Colonel, four-star, Secretary of Defense, whatever they want to call them, we are, as Members of Congress, to make sure that we carry out the oversight of any action of the U.S. taxpayer dollar. They don't want to talk about the investment that U.S. taxpayers have made in this war. They don't want to talk about the sacrifice of the over 3,222-plus members of the Armed Forces that are not coming home again, Mr. Speaker. They don't want to talk about the 10,000-plus members who were injured in Iraq that cannot return back to battle because of their injury. The Republicans do not want to talk about the casualties of this war as it relates to families that will no longer have their loved one back home, and they don't want to talk about the accountability that they did not put forth when they were in charge of this U.S. House of Representatives to say, Department of Defense, if you have regulations saying that military personnel that are going into harm's way, that they have to have armor, that they have to have the support staff, that they have to have everything they need to go to battle; if you aren't willing to stand by that, then don't criticize what we are doing.

I hope that my Republican colleagues follow and come along and join us because this is national security. This is not an issue of partisanship, or I am a Republican and you are a Democrat. That should not be the issue.

Mr. Speaker, I have said personally I voted for the supplemental that the Republican majority put forth two times in a row, not saying, I am a Democrat and, because they are Republican, I am going to vote against it.

Yes, I want to see redeployment in this war, but I do not want to leave our men and women without what they need to be able to fight the battle. There won't be a lack of ammunition or a lack of food or a lack of support or a lack of backup when there is a patrol out on the streets of Baghdad.

Do I support the President's surge? No, I do not. And I voted in the affirmative for the nonbinding resolution that came before this House that said that we do not support the surge that the President has put forth. Just because I disagree with the President doesn't mean that I need to disagree with the men and women in harm's way.

Now, some Members may have problems with this. They may not like a word over here or something that is said over there. But the bottom line is when you start looking at the morale of the men and women in uniform, the

worst message that we can send to them is that because of partisanship, because someone is a Republican or someone is a Democrat, that I am voting against it because my party leader said that I need to vote against it. I am here as an American, not as a Democrat here tonight, because I think it is important that we think about those families that cringe to hear about another casualty in Iraq of a U.S. military personnel or a nonforeign personnel that is in Iraq. And by Members saying, I don't want to vote for that because there is certain language in there that I disagree with, I think it is not a good enough reason for Members to say that I am not going to vote for it.

We talked about a commander. We talked about a gunner. We talked about a driver in a Stryker force vehicle. We talked about 100 brigades that are out there now. I have been to Iraq twice. I don't need to come to the floor and say, I am a member of the Armed Services Committee and I have been to Afghanistan, and I have been to many of the other "stans" in the Middle East to understand what our men and women are facing in harm's way. I have been to military bases. I have met with military families before. I don't need to come to the floor and talk about that. We have some Members saying, well, I love the troops.

Well, I love the troops more than you.

No, I have a tattoo saying that I love the troops more than you.

I believe we can come to the floor and talk tough and talk about what we believe in. But when it comes down to it, Mr. Speaker, Members are going to have to take out their voting card come tomorrow, and they are going to have to vote if they support the troops or not, period, dot. They can say, well, I support them, or what have you, go home, talk to the VFW and march in the Veterans Day parade and write letters back to their constituents that I support them 110 percent. The bottom line is that there is nothing in this bill that the Democratic majority has put forth that has not already been recommended.

Think about the policy. Okay. Readiness. It comes from the Department of Defense regulations. Who can argue with that? Who can complain about that? Who can argue, saying we are micromanaging?

No, not micromanaging. We are just saying if you have rules and regulations that have been set forth for the men and women in uniform, follow them, period, dot.

Being a member of the Armed Services Committee, I have watched individuals sit at a table testifying before Congress in committee, saying that the troops have what they need, and, yes, they all have body armor, and, yes, they all have up-armed vehicles, and, yes, they have the jammers to stop the improvised explosive devices; and better yet, you go to Iraq and you talk to the men and women in uniform, and they say they don't have it.

So what should we do? Should we just say we trust the bureaucrats over at the Department of Defense because they say they have what they need? Or do we come to this Congress and put in a language of legislation that not may or if you get around to it, or if you think about it, that you make sure that you live by your own standards. No. We say "shall" in this bill. We say, yes, readiness is important. Yes, we say that what General Schoomaker has asked for as it relates to additional soldiers, we said yes to it in this supplemental. You will be voting against readiness if you vote against the emergency supplemental.

The Commandant of the Marines asked for three new brigades. That is in this supplemental bill. If you vote against this supplemental, you are voting against the readiness of the U.S. Marines.

There are a number of issues that are in this bill that I think are important. But I think when you look at House amendment 302 by Representative BUYER, Republican from Indiana, and the timeline of December 15 of 1997, President Clinton was required to report to Congress on the political and military conditions in Bosnia and by a date certain, by June 30 of 1998, all troops to be withdrawn. Mr. Speaker, that actually came to the floor. And the Republican leadership that was here at that time voted in the affirmative for the amendment. And so for Members to come here and start talking about it as though this is some new idea like "never before."

I heard that today. I was sitting in my office. I could not believe that Members on the Republican side of the aisle were saying never before, that this never happened, that we have micromanaged generals and commanders and all the men and women that are in uniform and from this Congress we have 135 generals. Here is the CONGRESSIONAL RECORD right here.

One guy once said, "I am not talking about anybody. I am just talking about what I am talking about." And the bottom line is in the CONGRESSIONAL RECORD, just as clear as I am speaking now, 20 years, 200 years from now, someone can unearth what I have said here tonight. And we have unearthed, to my colleagues on the Republican side, what took place, and guess what? Only four Republicans voted "no." Here is the voting record right here. I have it. Of all the Republican Members that voted at that time, only four Republicans voted "no" when it came down to a timeline for Bosnia.

Now, this is not something that came from the Democratic National Committee or from the Democratic Congressional Campaign Committee or from my office because it sounded good. This came out of the CONGRESSIONAL RECORD.

So I want to make sure that the Members know and their constituents know that when Members come to the floor and give inaccurate information

to the American people and to Members of the House, it is a disservice. And I am not calling any names. I am just saying that here is the CONGRESSIONAL RECORD. For those Members who said never before in the history of the House of Representatives, you have got to know what you are saying before you say it, and if you said it, you should come to the floor and correct yourself so that individuals are not misled.

This is 18 months in Bosnia, let alone going into a 5th year in Iraq. No matter how you feel about the war, whether you voted against it or voted for it, I am not going to editorialize or have an opinion on how you voted when you voted. We are talking about right now. We are talking about tomorrow, less than 12 hours from now, you are going to have an opportunity to say if you are with the troops or you are not with the troops. And it is not going to be a floor speech, and it is not going to be a press release. It has to be if you vote "yes" or "no" tomorrow.

And I am speaking to every Member of the House. This is something that you have to live with. You cannot go to Iraq or Afghanistan or even write a letter or answer an e-mail from a troop if you found yourself in a situation where you said, no, I don't agree with what you are doing; that is fine, but to defund the mission while it is ongoing, our men and women that are in harm's way right now, is something that you are going to have to answer to your constituents. You don't have to answer to me, you just have to answer to your constituents. And I think that it is something you should take into consideration. And one of the great reasons why we come to the floor is to make sure that the Members know exactly what they're voting for.

And, Mr. Speaker, if I can, and Members, if they will indulge me, I would just like to talk a little bit about what is in this bill, what is in the emergency supplemental, because I want to make sure that the CONGRESSIONAL RECORD reflects it when you have some voters that may go into the archives of what took place at this time right now. Mr. Speaker, I used to see all the time in 109th Congress where we had some rough, rocky water, in the 109th Congress.

□ 2215

We had Members that are no longer Members of this House, not by vote but by the fact they had to leave the Congress because of unethical behavior, not unethical, criminal behavior, and we never once called the names of those individuals. But we said we have to do away with the K Street Project and other projects like it, because once upon a time this House, when the other side was in control, you had to pay to play. Either you were on a list or you didn't get access to this House.

Now we have returned this House to the people of the United States of America. We are going to continue to

move in that direction, and I think it is important that we make sure that every Member of the House has the opportunity to vote on good legislation.

We are going to consider H.R. 1591, which is the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act of 2007.

I am sorry, I was just corrected, not only four Republicans will vote against it, only two Republicans will vote against it. We are checking while we are on the floor. I want to make sure the RECORD reflects the accurate information.

I think it is important that Members understand the defense healthcare is \$1.7 billion more than what the President has requested. I want to just outline that. The President put forth his recommendations which should be in this emergency supplemental. We have on top of that, as it relates to the Appropriations Committee, which I commend not only the chairman but the chairman of the subcommittee and the members of the Appropriations Committee giving us an opportunity to vote on \$1.7 billion more for healthcare, defense healthcare, above what the President has called for.

\$450 million for posttraumatic stress, which is going to happen. This vote is going to come up tomorrow. That is very, very important. And counseling. We talk about families, you have to remember that there are men and women that have seen a lot, an awful lot, some things that we would never see. Members of this House, a few Members serve in the Reserves, some have served in the Guard, some have seen some of this. But the majority of Members of the Congress has not seen what these men and women have seen or gone through what they have gone through, seeing someone in the mess hall one day and not seeing them the next day, and hearing about what took place with them, that happened to them.

Sniper fire, improvised explosive devices, we could never understand that. But they come home with those real issues, and we have a number of members of our armed services that have admitted that they have issues mentally that they need help with. Now, let's think about it. We are talking about men and women of the armed services that admitted they have issues. How many of those have not?

We talk about preparation for when our troops come home. It is not just when you are in harm's way that some Members may say well, you know, it is important we take care of them. No, when they get home, we need to be there for them. \$450 million in traumatic brain injury care and research.

\$730 million for prevention healthcare.

\$20 million to address the problems at Walter Reed Hospital. I think it is important, and I think we have that chart here dealing with Walter Reed, that is so very, very important. The Washington Post broke the story saying that Walter Reed wasn't up to par.

Then you had U.S. News and World Report. We have a specialist here. We have troops, men and women in need, and I think it is important that you look at this Newsweek cover. If you have this at home, take a look at it. It just came out March 5, 2007. I think it is important that everyone pays attention and focuses on this.

We have to make sure we are here for them. \$14.8 million for burn care. For veterans care, \$1.7 billion more than what the President requested.

I want to stop there to say we put I believe \$3.7 billion in the continuing resolution. What do we mean when we say continuing resolution? We mean that the Republican Congress did not finish their work in passing all of their appropriations bills on time. The fact that they weren't able to do so, we were able to meet that shortfall.

Let me correct myself. \$2.7 billion that was a shortfall for that. We were able to put \$3.6 billion in January 31. The Democrats increased the veterans healthcare budget by \$3.6 billion. And that was prior to the story coming out about Walter Reed. We had several amendments on the floor where we tried to increase veterans healthcare because we knew already there were issues in VA hospitals, VA clinics, our veterans getting what they need, leave alone the number of troops and soldiers and also their families that we are going to put into the system of active and those that have left the military, the strain on it. That is when it comes down to planning, and that is already there.

But when you look at the \$1.7 billion more than the President asked for, we are talking about \$550 million to address the backlog of maintaining VA health care facilities that were intended to prevent veterans from experiencing a situation similar that they found at Walter Reed.

\$250 million for medical administration to be able to bring on sufficient personnel to support the growing number of Iraq and Afghanistan veterans and to maintain the level of service at all VA facilities and for veterans.

\$229 million for treatment for a growing number of Iraq and Afghanistan veterans.

\$100 million for contracting mental healthcare, with the funding to allow the VA to contract with private mental healthcare providers to ensure that Iraq and Afghanistan veterans are seen in a timely manner. I think this is an important point.

We have veterans now, Members, that are waiting, not hours, not weeks, but months, and it is real really unfortunate they have to do so. I told the story about a friend of mine that was in a VA hospital that had my cellular number in his cell phone, and he called me and said, "Kendrick, things are not going the way they are supposed to go. I am waiting to see a specialist, and I have been here for some time and I haven't seen one and I don't think I am going to see one." He was admitted.

Of course, my office called. We were in a truck moving around. My office called the administrator of the hospital, Mr. Speaker, and I am sure not only did he have the specialist, he had the head of the department of the area that he needed assistance in, and he got what he needed.

But, guess what? Every American, every American, every family member of a veteran, doesn't have the cell number of a Member of Congress. That shouldn't be the requirement for service, and that is why we are trying to respond to it.

It is also important, as I talk about readiness and support for our troops, \$2.5 billion more to address the current readiness crisis that is the situation on stateside for our troops, including those that are better equipped and trained.

It is important that we make sure that our National Guard units are equipped. Mr. MURTHA, the chairman of the Subcommittee on Defense Appropriations, has said there is not a National Guard unit that is at a point of readiness right now, Mr. Speaker. They are not ready? Why? Because half of their equipment is in Iraq. Why? Because the training has not been taking place because of the lack of funding to be able to allow them to be battle ready. I think it is a disservice for those who have volunteered to serve our country.

You have \$1.4 billion more for military housing allowance, \$311 million more to make sure that you have the mine resistant ambush protection, which we call MRAP, for the vehicles in Iraq at this time. Everything that the military has asked for to make sure that our men and women don't come back in a way that this specialist had to come back.

She didn't have a choice, Mr. Speaker. Members, by voting for this supplemental, you are going to give her and many other people like her an opportunity to know that we have done everything possible that we can do here in the Congress to avoid what has happened to so many of our men and women that are going in for treatment, physical therapy, to make sure that we can avoid misfortune from happening to them, even though they keep the spirit that we ask them to keep, and these are the most resilient men and women in our society that are citizens.

I think it is important also to look, when I talked about the size of the military, \$2.3 billion for the full cost of fielding an additional 36,000 Army troops and 9,000 Marines, and also \$720 million as it relates to military construction costs. I think it is important that we look at this.

This is exactly what I was stating earlier. Members want to talk about readiness for voting against this bill? You are saying you are fine with the status quo. We don't know when the next conflict is going to take place. We don't know when. We asked the Army, why do you have soldiers rotating in in

120 days when they just served several months, almost a year, and beyond a year in Iraq?

We don't have the troops. That is what the Army is saying. The Marines are saying we are stretched thin. They are asking for help, and we are saying we are there to help them, and it is in this bill, and I think it is important that Members understand that.

I could not go to Iraq, which I am going to be going again for the third time, and look a marine, soldier, sailor, airman, Coast Guard person, in the face and say that I am there for you if I voted against the supplemental.

Mr. Speaker, I go back to say that I voted for the Republican version of the supplemental. I believe we should have redeployment, but the last thing that I want to do as a Member of Congress, the last thing that I want to do is vote against our men and women having what they need when they are in harm's way. That is the last thing I want to do. There has to be a really rough day for me not to vote to support these troops.

I know that there are some Members that are going to do what they need to do, but I just want to make sure, especially for my colleagues on the other side of the aisle, those conversations that I have had with many of my friends, they say, "Our leadership tells us that we need to vote against it." In the Appropriations Committee, some of my good friends on the other side of the aisle, the leadership said that.

Well, what about what our troops are saying? What about what their families are saying? What about our responsibility as men and women of the U.S. Congress?

Of course, I am not a general. I am not even a sergeant. I am not even a specialist in the Army. But I have been elected and federalized by my constituents to come here and represent them and the United States of America and make sure that we carry out our responsibility as Members of Congress to have oversight.

It is not making decisions here in the Chamber. It is oversight. What is wrong with the Iraqi government having to meet benchmarks? Let's just put it this way, Members. How long have we been talking about, and I do mean talking, about the training of Iraqi troops to secure their own country? How long? I just want to know how long. We have been talking about it I know for at least 3 years, which this is a war in its fifth year.

For at least 3 years there has been a strong conversation about training Iraqi troops, taking over patrols. They have a brigade now taking over a city. We look the next couple of months, U.S. troops are riding side-by-side with Iraqi troops, and in some cases it is a U.S. patrol, because that is what we are down to. A coalition of the few. Great Britain has already said, you know, guess what, folks? We are out of here. We have done our mission. Saddam Hussein is gone, has gone on to

another place. His two sons are gone. And they know it is a civil war going on right now in Iraq and they know full well that the key to Iraq, using the Iraq Study Group, I must add, and also every other expert as it relates to Iraq, will not be solved militarily.

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It will not be solved militarily. Diplomacy is going to play a big role. Unless we start to endorse diplomacy, and Members are coming to the floor and saying, by passing this bill, we are saying we are surrendering.

Let me go back to what President Bush said. He was asked during the last campaign when would there be a victory. Well, there won't be a victory.

What he meant by that by saying there will not be a time when someone will go and hand a flag over to the United States and say "you won." That is not going to happen. That is not going to happen. So for Members thinking there is going to be some big conversation at Little Big Horn or whatever the case may be for those historians that are around, that is not going to happen.

If you are waiting for an insurgent to come up and say let's sign an agreement and say, let me borrow this pen. This pen is fine. I will sign right here to say we surrender to the great U.S. military. That is not going to happen, ladies and gentlemen, and every Member of Congress has to know that. So to say we are going to hang around officiating a U.S. war, and losing two to three troops on average to sniper fire and IEDs, just to say we are tough and we are going to keep riding until we can't ride any more, we are moving into \$525 billion-plus, with a B, in spending in Iraq and Afghanistan.

Afghanistan is a worthy cause because they had everything to do with 9/11. Because of Iraq, the Taliban and al Qaeda still live in Afghanistan, and they are getting stronger because of the lack of oversight by this Congress and the White House saying we need to send more troops because we have the coalition of the few who are leaving Iraq. So we have to continue to send brigades and troops into Iraq. This supplemental is moving in a new direction. It is moving in the direction of oversight saying that the President of the United States put benchmarks on the Iraqi Government, and in this bill it addresses that. If they don't meet those benchmarks, we start reversing our troops out. If we have an unwilling government in Iraq saying we can continue to do what we are doing because the Americans are going to be here, that is not so. The American people are far beyond several Members of Congress on this issue. Democrats and Republicans and Independents know full well that the reaction in Iraq of saying we are going to continue to send military in and some bureaucrat over at the Department of Defense saying, well, regardless of the fact that they had enough downtime, we are going to

send them anyway because we have to keep over 140,000 troops in harm's way, just in Iraq. In this bill it goes against that theory.

Now, Mr. Speaker, let me just clarify. Does it tie the hands of the administration? No, it doesn't. It says if it is within the national interest of national security, you have to come before Congress and justify stepping out of what we want to pass here in this House. It doesn't do anything to the President. It doesn't tie the hands of the military. It says if you are going to do something outside of the rules that you have already set, you have to come before Congress and let us know what you are doing. What's wrong with that?

Newsweek, Time, and other periodicals that are weekly, and some daily, have asked, Is the President listening? What is the President thinking?

The American people are saying they want to do certain things as it relates to Iraq, but they don't want to be in the middle of a civil war.

The Department of Defense 2 weeks ago admitted there is a civil war in Iraq. They said that 2 weeks ago, and it has been going on for over a year. The media 6 months ago said we are now calling it a civil war. And the Department of Defense just came to grips with that.

I am going to tell you, there are four star generals that are friends of mine that know full well and have told me, Just between you and I, Congressman, we are in a civil war.

But the administration had to give the okay. So, you know, things are getting tough now, and you go ahead. You can say it, yeah.

That is the kind of DOD that we have right now. When I say DOD, the Department of Defense. This bill unearthed that kind of philosophy. We want the Department of Defense to be professionals. We want our three and four star generals and our people in harm's way to make the decisions and come before Congress and tell us the truth, not because someone in the White House or someone in the Department of Defense said if you tell it, there is going to be a price to pay.

Mr. Speaker, I have a list of generals that have paid that price that have said otherwise than what the Department of Defense wanted them to share.

One thing that is good, Secretary Rumsfeld is gone, and that is good. I am glad he is gone from the Department of Defense. I asked him politely, Maybe you want to consider retiring after Abu Ghraib. When you have the kind of power over DOD, it smothers other ideas. This is not something in DOD. This was printed in newspapers. If you disagreed with the Secretary of Defense, you had a problem. We want to fight against that.

I want to talk about my colleagues on the other side. My good friend who used to be the chairman of the Armed Services Committee, he said he never felt stronger against what was going on as relates to the surge. They are going

to have an opportunity to vote on the supplemental.

You had Senator HAGEL who is also a Republican and I consider a good person. He said: "I think the speech that was given last night," and this was after the President presented his plan for the surge, "by the President represents the most dangerous foreign policy blunder in this country since Vietnam. If it is carried out, it will be resisted." That is Senate Foreign Relations Committee testimony of 1-11-07. It goes on and on. Senator SNOWE, Senator COLLINS, Senator COLEMAN, Senator SMITH, Senator BROWNBACK, Senator SPECTER, Senator BUNNING, and on and on and on. Senator SUNUNU.

So we can go on and on talking about the justification of third-party validators that are here. And then we have generals, Mr. Speaker, that have said otherwise against what this administration is proposing. The President has threatened to veto this supplemental. I wonder why. It is his words that he said here at that podium that the Iraqi Government has to be held accountable because we will not be there.

We used his words and put it on paper, put it into law. Here is the bill. It is on the Internet. Folks can read it. Every Member has a copy. There is no secret. It is not in some back room, it is not like, I have not seen the bill yet. H.R. 1591. You can read about all of the good things that are in here that are already Department of Defense regulations. That is what the President said when he made his surge speech and the accountability that is being placed on the Iraqi Government.

The Iraq Study Group, it is in here. Their recommendations are in here. It is nothing new. They were bipartisan, appointed by the President of the United States.

All we are saying is we are going to hold you to your word. What is wrong with that? Whatever happened to those good old days, if you say it, you are going to do it? What is wrong with that?

I don't know what the problem is, Members, but the only problem I can find with holding you to your word is probably politics, partisan politics. When we look at national security, there is no room for that.

Let's talk about some of these military leaders that have raised a concern about the escalation.

General Colin Powell, can't say enough about him, former chairman of the Joint Chiefs of Staff, former Secretary of State. That is some resume. "I am not persuaded that another surge of troops in Baghdad for the purpose of suppressing this continued violence, this civil war will work."

That is General Colin Powell. It is not Kendrick Meek. And he is a Republican. He is just being an American when he said this. I know General Powell, and he is a friend.

General Wesley Clark, retired, former Supreme Allied Commander of

Europe of NATO. This is a man who led us in Bosnia. He said troops surge and accountability will be seen as rhetoric. The bottom line of what he is saying is that the accountability of what we say that we want to be accountable for in Iraq as it relates to security is not going to see itself through.

General McCaffrey, who is retired, he said: "It is a foolish idea. Our allies will leave us."

Mr. Speaker, that is what has happened.

"Make no mistake about that, most will be gone by the summer." This is what he said. And sure enough, they are going to be gone by the summer.

These are our decorated members of the military that are saying this. So when Members come to the floor and start calling Members names and calling the Speaker names and calling the Speaker "general" and carrying on and trying to make a point and trying to sensationalize the obvious, it is not serving our troops well and it is not serving our country well.

Mr. Speaker, I am going to close with this: we have a responsibility as Americans and also as Members of the House to make sure that we follow through on what we said and told our constituents that we would do, that we would come as thinkers to this process and that we would represent them in the best way possible.

For the men and women that allow us to salute one flag, for those who have served in the past, we thank them and honor them. Let's honor them tomorrow when we come to this floor and vote for this emergency supplemental. We had a nonbinding resolution a couple of weeks ago that said we were against the escalation of troops in Iraq. This bill and this emergency supplemental is binding, and it has meat and teeth on it on behalf of those in harm's way, and even those that have served. In this bill we are taking care of the needs of not only military but military families. We are providing homeland security with the necessary funding that they need. And so when you think about, when you pray about what you are going to do tomorrow, think about those that are counting on us to represent them.

Mr. Speaker, I thank the Speaker and majority leader for allowing me to come to the floor tonight. I want to thank the Members of the House for listening. It is always a true honor to address the House.

Ms. WATERS. I yield to the gentleman from Mississippi (Mr. TAYLOR) for 2 minutes.

Mr. TAYLOR. First let me tell the gentleman from Georgia I appreciate him trying to save some money. I think his efforts, though, are a year late. If you want to look for Katrina fraud, look for Katrina fraud that was perpetrated by the Bush administration.

In south Mississippi we had 40,000 people at one point living in FEMA trailers. We are grateful for every one

of them, but those trailers were delivered by a friend of the President, Riley Bechtel, a major contributor to the Bush administration. He got \$16,000 to haul a trailer the last 70 miles from Purvis, Mississippi down to the gulf coast, hook it up to a garden hose, hook it up to a sewer tap and plug it in; \$16,000.

So the gentleman never came to the floor once last year to talk about that fraud. But now little towns like Waveland, Bay Saint Louis, Pas Christian, that have no tax base because their stores were destroyed in the storm, a county like Hancock County where 90 percent of the residents lost everything, or at least substantial damage to their home, he wants to punish Bay Saint Louis, he wants to punish Waveland, he wants to punish Pas Christian.

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#### ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would ask Members to address their remarks to the Chair.

Mr. PRICE of Georgia. Mr. Chairman, I would inquire as to whether or not those words are eligible to be taken down.

The Acting CHAIRMAN. The Chair cannot render an advisory opinion on that point.

Mr. PRICE of Georgia. Mr. Chairman, I demand that his words be taken down.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today on account of medical reasons.

Mr. DEAL of Georgia (at the request of Mr. BOEHNER) for today until 4:30 p.m. on account of attending a memorial service.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KLEIN of Florida) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. HILL, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Ms. SCHWARTZ, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. KINGSTON) to revise and

extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today and March 23.

Mr. PEARCE, for 5 minutes, today.

Mr. PRICE of Georgia, for 5 minutes, today.

Mr. BARTLETT of Maryland, for 5 minutes, March 27.

Mr. KINGSTON, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. FOX, for 5 minutes, today.

#### ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, March 23, 2007, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

921. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2006, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

922. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Mariner Licensing and Documentation Program Restructuring and Centralization; Correction [USCG-2006-25535] (RIN: 1625-ZA09) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

923. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Amendments [USCG-2001-10881] (RIN: 1625-AA36) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

924. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Waters Surrounding M/V TONG CHENG, HI [COTP Honolulu 07-001] (RIN: 1625-AA87) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

925. A letter from the Attorney Advisor, USCG, Department of Homeland Security, transmitting the Department's final rule — Rates for Pilotage on the Great Lakes [USCG-2006-24414] (RIN: 1625-AB05) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

926. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Technical Amendments; Marine Safety Center Address Change [USCG-2007-26953] (RIN: 1625-ZA12) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.



927. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area: Savannah River, Savannah, GA [CGD07-05-138] (RIN: 1625-AA11) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

928. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Biscayne Bay, Atlantic Intracoastal Waterway, Miami River, and Miami Beach Channel, Miami-Dade County, FL [CGD07-07-010] (RIN: 1625-AA09) received March 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

929. A letter from the Program Analyst, Department of Transportation, transmitting Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2006-23734; Directorate Identifier 2005-NM-174-AD; Amendment 39-14827; AD 2006-23-15] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

930. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-502, AT-502A, AT-502B, AT-602, AT-802, and AT-802A Airplanes [Docket No. FAA-2006-25260; Directorate Identifier 2006-CE-37-AD; Amendment 39-14826; AD 2006-23-14] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

931. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Turmo IV A and IV C Series Turbohaft Engines [Docket No. FAA-2006-25970; Directorate Identifier 99-NE-12-AD; Amendment 39-14829; AD 2006-23-17] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

932. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes [Docket No. FAA-2006-25437; Directorate Identifier 2006-NM-136-AD; Amendment 39-14828; AD 2006-23-16] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

933. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce, plc RB211 Trent 768-60, 772-60, and 772B-60 Turbofan Engines [Docket No. FAA-2006-26052; Directorate Identifier 2006-NE-30-AD; Amendment 39-14823; AD 2006-23-11] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

934. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes [Docket No. FAA-2006-25388; Directorate Identifier 2006-NM-086-AD; Amendment 39-14824; AD 2006-23-12] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

935. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Airplanes [Docket No.

FAA-2006-25337; Directorate Identifier 2006-NM-138-AD; Amendment 39-14825; AD 2006-23-13] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

936. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 750 Airplanes [Docket No. FAA-2006-26352; Directorate Identifier 2006-NM-231-AD; Amendment 39-14830; AD 2006-24-01] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

937. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330 Airplanes and Model A340-200 and -300 Series Airplanes [Docket No. FAA-2005-22812; Directorate Identifier 2005-NM-134-AD; Amendment 39-14811; AD 2006-22-14] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

938. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Trent 768-60, Trent 772-60, and Trent 772B-60 Turbofan Engines. [Docket No. FAA-2006-25855; Directorate Identifier 2006-NE-29-AD; Amendment 39-14819; AD 2006-23-07] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

939. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2006-26388; Directorate Identifier 2006-NM-234-AD; Amendment 39-14834; AD 2006-24-05] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

940. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes [Docket No. 2001-NM-381-AD; Amendment 39-14832; AD 2006-24-03] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

941. A letter from the Attorney Advisor, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions [Docket No. PHMSA-06-25476(HM-2151)] (RIN: 2137-AE16) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

942. A letter from the General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2008; jointly to the Committees on Armed Services and Foreign Affairs.

943. A letter from the General Counsel, Department of Defense, transmitting the Department's requested legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2008; jointly to the Committees on Armed Services, Energy and Commerce, Transportation and Infrastructure, Oversight and Government Reform, Education and Labor, Veterans' Affairs, the Judiciary, Small Business, Natural Resources, Ways and Means, the Budget, and Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 1401. A bill to improve the security of railroads, public transportation, and over-the-road buses in the United States, and for other purposes; with an amendment (Rept. 110-65 Pt. 1). Ordered to be printed.

### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of the rule XII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1401 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. MALONEY of New York (for herself, Mr. FOSSELLA, Mr. SERRANO, Mr. SHAYS, Mr. HINCHEY, Mr. MCHUGH, Mr. HALL of New York, Mr. MCNULTY, Mr. CROWLEY, Mr. GRIJALVA, and Mr. MCCOTTER):

H.R. 1638. A bill to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY (for himself and Mr. THOMPSON of Mississippi):

H.R. 1639. A bill to provide that no entity performing lead system integrator functions in the acquisition of a major system by the Department of Homeland Security may have any direct financial interest in the development or construction of any individual system or element of any system of systems, and for other purposes; to the Committee on Homeland Security.

By Mr. PEARCE (for himself, Mr. SHUSTER, Mr. BISHOP of Utah, Mr. KLINE of Minnesota, Mr. DAVIS of Kentucky, Mr. WOLF, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. MCCOTTER, and Mr. MCKEON):

H.R. 1640. A bill to provide liability protection for individuals who report suspicious behavior to law enforcement agencies; to the Committee on the Judiciary.

By Mr. SNYDER (for himself, Mr. FILNER, Mr. BUYER, Ms. HERSETH, Ms. LORETTA SANCHEZ of California, Mr. REYNOLDS, Mr. BOOZMAN, and Mr. LATHAM):

H.R. 1641. A bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself and Mr. FILNER):

H.R. 1642. A bill to direct the Secretary of Veterans Affairs to ensure that, to the extent possible, an enhanced-use lease for a homeless housing project at the Department of Veterans Affairs facility known as the Sepulveda Ambulatory Care Center, located in North Hills, California, shall provide that such housing project shall be maintained as a sober living facility for veterans only, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ANDREWS (for himself, Mr. CASTLE, Mr. PASCRELL, and Mr. KUHLE of New York):

H.R. 1643. A bill to prohibit termination of employment of volunteers firefighters and emergency medical personnel responding to emergencies, and for other purposes; to the Committee on Education and Labor.

By Mr. ANDREWS (for himself, Ms. DELAUNO, Mr. ELLISON, Mr. ENGEL, Mr. HOLT, Mr. KILDEE, Mrs. MALONEY of New York, Ms. MATSUI, Mr. GEORGE MILLER of California, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, Mr. STARK, Mr. WAXMAN, and Mr. YOUNG of Alaska):

H.R. 1644. A bill to amend the National Labor Relations Act to clarify the definition of "supervisor" for purposes of such Act; to the Committee on Education and Labor.

By Mr. GUTIERREZ (for himself, Mr. FLAKE, Mr. BACA, Mr. LINCOLN DIAZ-BALART of Florida, Mr. EMANUEL, Mr. RADANOVICH, Ms. JACKSON-LEE of Texas, Mr. LAHOOD, Mr. CROWLEY, Mr. MARIO DIAZ-BALART of Florida, Ms. GIFFORDS, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. FORTUÑO, Mr. BECERRA, Mr. CARDOZA, Mr. CUELLAR, Mr. GONZALEZ, Mr. GRIJALVA, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Mr. REYES, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. SALAZAR, Mr. SERRANO, Mr. SIRES, and Ms. SOLIS):

H.R. 1645. A bill to provide for comprehensive immigration reform, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California:

H.R. 1646. A bill to amend the Help America Vote Act of 2002 to require States to implement procedures for tracking ballots which are transmitted by mail, and for other purposes; to the Committee on House Administration.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. BECERRA, and Mr. KIRK):

H.R. 1647. A bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. GOODE:

H.R. 1648. A bill to prohibit the Secretary of Agriculture from closing Farm Service Agency offices in Appomattox, Virginia, and Lunenburg, Virginia; to the Committee on Agriculture.

By Ms. HERSETH:

H.R. 1649. A bill to prohibit the closure or relocation of any county office of the Farm Service Agency until at least one year after the enactment of an Act to provide for the continuation of agricultural programs for fiscal years after 2007; to the Committee on Agriculture.

By Ms. BALDWIN (for herself, Mr. ALLEXANDER, Mr. POMEROY, Mr. WALZ of Minnesota, and Mr. BAKER):

H.R. 1650. A bill to amend the Federal antitrust laws to provide expanded coverage and

to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH (for herself, Mr. WALDEN of Oregon, and Mr. POMEROY):

H.R. 1651. A bill to provide for the establishment of the Rural Health Quality Advisory Commission, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KING of New York:

H.R. 1652. A bill to amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules to establish a requirement to prohibit any telemarketing calls during the hours of 5:00 p.m. to 7:00 p.m.; to the Committee on Energy and Commerce.

By Ms. LEE (for herself, Mr. SHAYS, Ms. SCHAKOWSKY, Ms. LINDA T. SANCHEZ of California, Ms. BERKLEY, Mr. MCDERMOTT, Mr. ALLEN, Mr. ISRAEL, Mr. WU, Mr. AL GREEN of Texas, Mr. DAVIS of Alabama, Mr. FATTAH, Mr. EMANUEL, Mr. BERMAN, Mr. FARR, Mr. GRIJALVA, Ms. WOOLSEY, and Ms. WATSON):

H.R. 1653. A bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California:

H.R. 1654. A bill to amend the Indian Gaming Regulatory Act to require that the Secretary of the Interior determine that a gaming establishment on certain newly acquired Indian lands would be in the best interests of certain Indian tribes and not detrimental to the surrounding community before such lands would be eligible for certain exceptions to the general prohibition on gaming on such lands; to the Committee on Natural Resources.

By Mrs. MCCARTHY of New York (for herself, Mr. TIBERI, Mrs. MALONEY of New York, Mr. GORDON, Mr. MCDERMOTT, Mr. INSLEE, Mr. COBLE, and Ms. HOOLEY):

H.R. 1655. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE (for himself and Ms. GINNY BROWN-WAITE of Florida):

H.R. 1656. A bill to amend title 5, United States Code, to permit access to databases maintained by the Federal Emergency Management Agency for purposes of complying with sex offender registry and notification laws, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER:

H.R. 1657. A bill to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs; to the Committee on Science and Technology.

By Mr. SALAZAR:

H.R. 1658. A bill to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge; to the Committee on Natural Resources.

By Mr. SALAZAR (for himself, Mr. UDALL of Colorado, Mr. PERLMUTTER, and Mrs. MUSGRAVE):

H.R. 1659. A bill to provide environmental assistance to non-Federal interests in the State of Colorado; to the Committee on Transportation and Infrastructure.

By Mr. SALAZAR:

H.R. 1660. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region; to the Committee on Veterans' Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. PLATTS, Mr. STUPAK, Mrs. JO ANN DAVIS of Virginia, Mr. MORAN of Virginia, and Mrs. DRAKE):

H.R. 1661. A bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United States Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act; to the Committee on Oversight and Government Reform.

By Mr. ISRAEL:

H. Con. Res. 97. Concurrent resolution expressing the sense of Congress that the Government of the United States should submit to the Government of Iraq a draft bilateral status-of-forces agreement by not later than September 1, 2007; to the Committee on Foreign Affairs.

By Mr. TIAHRT (for himself, Mrs. DRAKE, Mr. MILLER of Florida, Mr. SMITH of Texas, Mr. MORAN of Kansas, Mr. CONAWAY, Mr. HAYES, Mr. KLINE of Minnesota, and Mr. CALVERT):

H. Con. Res. 98. Concurrent resolution expressing the sense of Congress that provisions that provoke veto threats from the President should not be included on bills that appropriate funds for the implementation of recommendations of the Base Closure and Realignment Commission; to the Committee on Armed Services.

By Mr. ROGERS of Michigan (for himself, Mr. STUPAK, Mr. WALBERG, and Mr. MCCOTTER):

H. Res. 262. A resolution honoring Ellen May Tower who, while an United States Army nurse during the Spanish-American War, became the first Army nurse to die on foreign soil; to the Committee on Armed Services.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 180: Mr. GUTIERREZ, Mr. LANTOS, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. CROWLEY, and Mr. HASTINGS of Florida.

H.R. 216: Mr. GORDON.

H.R. 237: Mr. NUNES.

H.R. 249: Mr. PLATTS, Mr. GRIJALVA, Ms. WOOLSEY, Mr. WOLF, Mr. WU, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. ABERCROMBIE, and Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 281: Ms. KILPATRICK, Mr. HASTINGS of Florida, Mr. CLEAVER, Ms. CARSON, and Mr. AL GREEN of Texas.

H.R. 357: Mrs. MCMORRIS RODGERS and Mr. KAGEN.

H.R. 395: Mr. WALSH of New York.

H.R. 402: Mr. PORTER.

H.R. 411: Mr. ROSKAM, Mr. LAMBORN, Mr. WELDON of Florida, and Mr. HENSARLING.

H.R. 493: Mr. INSLEE.

H.R. 511: Mr. RAMSTAD and Mr. SIMPSON.

H.R. 518: Mr. GILCHREST.

H.R. 526: Mr. LAMPSON.

H.R. 549: Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. LOBIONDO, Mr. WALBERG, and Mr. LAMPSON.

H.R. 551: Mr. BACA, Mrs. NAPOLITANO, Mr. THOMPSON of California, and Mr. STARK.

H.R. 562: Mr. RYAN of Ohio.

H.R. 579: Mr. WOLF, Mr. ARCURI and Ms. SHEA-PORTER.

H.R. 592: Mr. SHIMKUS, Mr. RUPPERSBERGER, and Mr. CARNEY.

H.R. 620: Mr. COURTNEY.

H.R. 634: Mr. GRIJALVA, Mr. KNOLLENBERG, Mr. BRADY of Texas, Mr. COLE of Oklahoma, Mr. CRENSHAW, Ms. ESHOO, Ms. FALLIN, Mr. FERGUSON, Mr. FORBES, Mr. HERGER, Mr. INSLEE, Mr. SAM JOHNSON of Texas, Mr. JORDAN of Ohio, Mr. KING of Iowa, Mr. LINDER, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. MICA, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mr. NADLER, Mr. PITTS, Mr. RAMSTAD, Mr. RENZI, Mr. TERRY, Mr. TIERNEY, Mr. WICKER, Mr. WEINER, and Mr. ALTMIRE.

H.R. 667: Mr. MCNERNEY and Mr. BARTLETT of Maryland.

H.R. 690: Mr. WYNN.

H.R. 729: Mr. MOORE of Kansas and Mr. DELAHUNT.

H.R. 741: Mr. PLATTS.

H.R. 758: Mr. GILCHREST and Mr. FRELINGHUYSEN.

H.R. 769: Mr. DAVIS of Kentucky and Mr. SAM JOHNSON of Texas.

H.R. 771: Mr. DREIER.

H.R. 784: Mr. JINDAL, Mr. FORBES, and Mrs. MCMORRIS RODGERS.

H.R. 819: Ms. CARSON and Mr. BRALEY of Iowa.

H.R. 881: Mr. HINCHEY, Mr. McNULTY, and Mr. OLVER.

H.R. 887: Mr. LEWIS of Georgia.

H.R. 960: Mr. LANGEVIN.

H.R. 1022: Mr. KENNEDY, Mr. PASTOR, and Ms. WASSERMAN SCHULTZ.

H.R. 1034: Mr. DICKS.

H.R. 1061: Mr. GILLMOR and Mr. ABERCROMBIE.

H.R. 1076: Mr. UDALL of Colorado.

H.R. 1102: Ms. JACKSON-LEE of Texas, Ms. CARSON, Ms. HOOLEY, Ms. DELAURO, Mr. GRIJALVA, Mr. ALEXANDER, and Mr. BOSWELL.

H.R. 1108: Mr. HALL of New York.

H.R. 1119: Mr. MURTHA.

H.R. 1142: Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. GOODE, Mr. BERMAN, Mr. SHAYS, Mr. HILL, Mrs. DRAKE, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, and Mr. GRIJALVA.

H.R. 1147: Mr. LEWIS of Kentucky and Mr. HINOJOSA.

H.R. 1152: Mr. REICHERT.

H.R. 1172: Mrs. WILSON of New Mexico, Ms. HARMAN, Mr. KIND, Mr. EDWARDS, Ms. NOTON, Ms. SCHAKOWSKY, Mr. SPRATT, Mr. TERRY, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, and Mr. KILDEE.

H.R. 1187: Mr. BERMAN.

H.R. 1188: Mr. GOODE, Ms. ZOE LOFGREN of California, and Mr. BOUCHER.

H.R. 1192: Mr. PASTOR.

H.R. 1211: Ms. SCHAKOWSKY and Mr. MCNERNEY.

H.R. 1225: Mr. PASTOR, Mr. OLVER, and Mr. DAVIS of Illinois.

H.R. 1228: Mr. CAPUANO and Mr. MORAN of Kansas.

H.R. 1229: Mr. CARNEY, Mr. SOUDER, and Mr. TIM MURPHY of Pennsylvania.

H.R. 1232: Mr. SCOTT of Georgia.

H.R. 1261: Mr. GARRETT of New Jersey and Mr. PUTNAM.

H.R. 1289: Mr. HONDA.

H.R. 1307: Mr. PORTER.

H.R. 1330: Ms. HOOLEY.

H.R. 1335: Mr. INGLIS of South Carolina.

H.R. 1350: Ms. KAPTUR, Mrs. JONES of Ohio, Ms. KILPATRICK, Ms. SUTTON, Mrs. MALONEY of New York, and Mr. PAYNE.

H.R. 1353: Mr. BERRY.

H.R. 1355: Mr. KNOLLENBERG.

H.R. 1363: Ms. HOOLEY.

H.R. 1365: Mr. SENSENBRENNER.

H.R. 1366: Mr. BUCHANAN, Mr. SENSENBRENNER, and Mr. MCCAUL of Texas.

H.R. 1371: Mr. PITTS.

H.R. 1415: Mr. PASTOR, Mr. SERRANO, Mr. FILNER, and Ms. MCCOLLUM of Minnesota.

H.R. 1416: Mr. PASTOR, Mr. SERRANO, Mr. FILNER, and Ms. MCCOLLUM of Minnesota.

H.R. 1429: Ms. WOOLSEY, Mrs. DAVIS of California, Mr. SIRES, Mr. STARK, Mr. EMANUEL, Mr. TIM MURPHY of Pennsylvania, Mr. HOLT, Mr. GRIJALVA, and Mr. CROWLEY.

H.R. 1456: Mr. CAPUANO.

H.R. 1467: Mr. MILLER of North Carolina.

H.R. 1491: Mr. FRANK of Massachusetts and Mr. BLUMENAUER.

H.R. 1533: Mr. GRIJALVA.

H.R. 1539: Mr. HUNTER and Mr. CARTER.

H.R. 1551: Mr. BERMAN.

H.R. 1560: Mrs. CUBIN and Ms. LORETTA SANCHEZ of California.

H.R. 1576: Ms. MATSUI, Mr. PORTER, and Mr. PUTNAM.

H.R. 1586: Mr. PEARCE, Mr. SOUDER, Mr. ROGERS of Michigan, Mr. FRANKS of Arizona, Mr. KINGSTON, Mr. JOHNSON of Illinois, Mr. SHUSTER, Mr. ROGERS of Alabama, Mr. WESTMORELAND, Mr. CULBERSON, Mr. CARTER, Mr. SULLIVAN, Mrs. BLACKBURN, Mr. MACK, Mr. BLUNT, Mr. CHABOT, Mr. KELLER, Mr. FORTUÑO, Mr. WILSON of South Carolina, Mr. PITTS, Mr. CONAWAY, Mr. BURGESS, Mrs. MCMORRIS RODGERS, Mr. SENSENBRENNER, Mrs. MUSGRAVE, Mr. MILLER of Florida, Mr. CANNON, Mr. HALL of Texas, Mr. POE, Mr. MCHUGH, Mr. SESSIONS, Mr. GOODE, Mr. FERGUSON, Mr. HUNTER, Mr. BARTLETT of Maryland, Mr. NEUGEBAUER, and Mr. ADERHOLT.

H.R. 1595: Mr. YOUNG of Alaska, Mr. CONYERS, and Mr. REHBERG.

H.R. 1600: Mr. TOWNS, Mrs. GILLIBRAND, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. HASTINGS of Florida.

H.R. 1609: Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Ms. MATSUI, Mr. SHAYS, Mr. MORAN of Virginia, Mr. SARBANES, Ms. BORDALLO, Mr. HARE, and Ms. JACKSON-LEE of Texas.

H.R. 1636: Mr. ENGLISH of Pennsylvania.

H.J. Res. 37: Mr. LANTOS.

H. Con. Res. 81: Mr. BILBRAY.

H. Res. 37: Mrs. DAVIS of California.

H. Res. 100: Mr. JINDAL.

H. Res. 121: Mr. RUSH, Mr. MCGOVERN, Ms. LINDA T. SANCHEZ of California, Mr. JACKSON of Illinois, and Mr. KENNEDY.

H. Res. 137: Mr. CAPUANO.

H. Res. 179: Mr. LAMBORN, Mr. KING of Iowa, and Mr. WALZ of Minnesota.

H. Res. 208: Mr. WATT.

H. Res. 224: Mr. SAXTON and Mr. FRANKS of Arizona.

H. Res. 233: Ms. WATSON, Mr. SULLIVAN, and Mr. CHANDLER.

H. Res. 257: Mr. DENT.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, THURSDAY, MARCH 22, 2007

No. 50

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BOB CASEY, Jr., a Senator from the State of Pennsylvania.

The PRESIDING OFFICER. Today's prayer will be offered by Rabbi Milton Balkany, of New York.

### PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Our Father in Heaven, snowflakes windswept to sky-piercing peaks do more than cloak mountaintops in their fine wintry vestments. Their varied crystalline structures speak of how You, the Master Artist, have sculpted our world to exemplify the beauty of contrast. Heartfelt differences are the hallmark of our times. O Lord, help us realize that division need not be the lyric of sorrow but the signature of brotherhood.

In the pursuit of truth and righteousness, disputes can compose verses of hard-won wisdom. Consider the rent of rock running through the Grand Canyon. It is a break, a fissure, a divide miles deep and, yet, is there a sight more majestic? Unity is not sameness, nor is it bland agreement. Only when Moses parted the waters was a nation set free.

We pray, O God, give us strength to grapple for the great good, defend the passion of our convictions, and still retain the devotion of brothers and sisters. Bless all of us in this hallowed hall of lawmaking with clarity of vision so that we may gaze upon the heights of our shared destiny. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BOB CASEY, Jr., led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 22, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BOB CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, the Senate will immediately resume consideration of the budget resolution. There are 25 hours of debate time left. The two managers have been doing an exemplary job of managing this bill. We still have a long way to go.

As I mentioned, 25 hours remain. We will have to see how we get to tomorrow morning. As I indicated a couple of days ago, unless the managers can agree on yielding back some time, we will have to stay in all night tonight and be in a position to start voting on the so-called vote-a-rama tomorrow.

We have a number of amendments pending. I am told that we have six or seven pending now. The managers will be making a decision about which amendments will be voted on between 11:30 and about 12:45, when we can pick

up another vote—around 12:45 or 1 o'clock. We anticipate other votes from 4 to 6. We may be able to back that off. As soon as the Appropriations Committee completes its work, we can start voting. So from 4 to 6—or maybe it can be 3 or 3:30 to 6.

We have a lot of committee meetings going on today all over the Senate office buildings. We are going to do our best to keep disruptions to a minimum. We cannot guarantee the meetings will not have to be interrupted. I have indicated to the Republican leader that we would not vote beyond 6 p.m. today. That may have to change. We will see if we have to come back after 8 o'clock to do what we can to clear off some of these votes. I would rather not do that, but we will discuss that with the managers and my distinguished counterpart, Senator MCCONNELL.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 21, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 21) setting forth the congressional budget for

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S3547

the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

Pending:

DeMint amendment No. 489, to establish a reserve fund for Social Security reform.

Allard amendment No. 491, to pay down the Federal debt and eliminate Government waste by reducing spending on programs rated ineffective by the Program Assessment Rating Tool.

Grassley-Dorgan amendment No. 464, to limit farm payments to \$250,000 per person per year and apply the savings to renewable energy/rural development, conservation, and nutrition.

Grassley amendment No. 502, to ensure the appropriate use of funds provided for the Smithsonian Institution.

Baucus-Rockefeller amendment No. 504, to affirm the Senate's commitment to the reauthorization of the State Children's Health Insurance Program.

Cornyn amendment No. 511, to provide a deficit-neutral reserve fund for the reauthorization of the State Children's Health Insurance Program (SCHIP) that will cover kids first.

Hutchison amendment No. 517, to provide tax equity for citizens of States which do not have a State income tax by providing for a permanent extension of the State and local sales tax deduction from Federal income taxes, now scheduled to expire at the end of 2007.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

AMENDMENT NO. 525

Mr. CORNYN. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] for himself and Mr. GREGG, proposes an amendment numbered 525.

Mr. CORNYN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide reconciliation instructions to the Committee on Finance to reform entitlement programs, to reduce the national debt and to improve the standard of living for our children and grandchildren)

On page 4, line 6, decrease the amount by \$2,047,000,000.

On page 4, line 7, decrease the amount by \$4,291,000,000.

On page 4, line 8, decrease the amount by \$6,949,000,000.

On page 4, line 9, decrease the amount by \$9,936,000,000.

On page 4, line 10, decrease the amount by \$13,270,000,000.

On page 4, line 15, decrease the amount by \$2,047,000,000.

On page 4, line 16, decrease the amount by \$4,291,000,000.

On page 4, line 17, decrease the amount by \$6,949,000,000.

On page 4, line 18, decrease the amount by \$9,936,000,000.

On page 4, line 19, decrease the amount by \$13,270,000,000.

On page 4, line 24, decrease the amount by \$2,047,000,000.

On page 4, line 25, decrease the amount by \$4,291,000,000.

On page 5, line 1, decrease the amount by \$6,949,000,000.

On page 5, line 2, decrease the amount by \$9,936,000,000.

On page 5, line 3, decrease the amount by \$13,270,000,000.

On page 5, line 7, decrease the amount by \$2,047,000,000.

On page 5, line 8, decrease the amount by \$6,339,000,000.

On page 5, line 9, decrease the amount by \$13,288,000,000.

On page 5, line 10, decrease the amount by \$23,224,000,000.

On page 5, line 11, decrease the amount by \$36,494,000,000.

On page 5, line 15, decrease the amount by \$2,047,000,000.

On page 5, line 16, decrease the amount by \$6,339,000,000.

On page 5, line 17, decrease the amount by \$13,288,000,000.

On page 5, line 18, decrease the amount by \$23,224,000,000.

On page 5, line 19, decrease the amount by \$36,494,000,000.

On page 19, line 12, decrease the amount by \$2,000,000,000.

On page 19, line 13, decrease the amount by \$2,000,000,000.

On page 19, line 16, decrease the amount by \$4,100,000,000.

On page 19, line 17, decrease the amount by \$4,100,000,000.

On page 19, line 20, decrease the amount by \$6,500,000,000.

On page 19, line 21, decrease the amount by \$6,500,000,000.

On page 19, line 24, decrease the amount by \$9,100,000,000.

On page 19, line 25, decrease the amount by \$9,100,000,000.

On page 20, line 3, decrease the amount by \$11,900,000,000.

On page 20, line 4, decrease the amount by \$11,900,000,000.

On page 25, line 12, decrease the amount by \$47,000,000.

On page 25, line 13, decrease the amount by \$47,000,000.

On page 25, line 16, decrease the amount by \$191,000,000.

On page 25, line 17, decrease the amount by \$191,000,000.

On page 25, line 20, decrease the amount by \$449,000,000.

On page 25, line 21, decrease the amount by \$449,000,000.

On page 25, line 24, decrease the amount by \$836,000,000.

On page 25, line 25, decrease the amount by \$836,000,000.

On page 26, line 3, decrease the amount by \$1,370,000,000.

On page 26, line 4, decrease the amount by \$1,370,000,000.

Mr. CORNYN. Mr. President, this amendment is one that I offered during the Budget Committee's deliberations. Unfortunately, the majority did not support this important amendment that reduces our Nation's debt, the bill that we will pass on to our children and grandchildren.

My amendment reduces the debt by instructing the Senate Finance Committee to find approximately \$34 billion in savings over the next 5 years, and this is out of almost a \$3 trillion budget.

Two years ago, Congress made some progress in getting a handle on mandatory, or entitlement, spending by passing the Deficit Reduction Act, using the reconciliation process, I believe, for the first time since about 1997.

The Deficit Reduction Act reduced the rate of growth in spending. I will say that again because it is important. It reduced the rate of growth of spending—it did not represent an actual cut in the way most Americans would think about a cut—by nearly \$100 billion over the next decade. It was a very good first step in getting our fiscal house in order but, clearly, more needs to be done.

Today, the Federal budget is already heavily weighted toward entitlement spending, such as Medicare, Medicaid, and Social Security, which takes up some two-thirds of all Federal spending, which is literally on autopilot because it grows at roughly 8 percent a year. As people live longer—as we hope we will continue to do—and the baby boom generation starts to retire, entitlements will continue to eat up a larger share of our budget and we will consume more of the economy.

In the most recent long-term projections prepared by the Congressional Budget Office, CBO, outlays for Social Security, Medicare, and Medicaid combined are projected to increase to 10.5 percent of our GDP by 2015—an increase of about 2 percentage points of GDP in less than a decade. By 2030, according to the CBO, outlays for those three programs will reach about 15 percent of GDP.

The chairman of the Senate Budget Committee held a number of hearings on this fiscal timebomb earlier this year. Our Committee has received testimony from the Office of Management and Budget, the Treasury Secretary, the General Accounting Office, the Comptroller, Chairman of the Federal Reserve, and a number of think-tank representatives, and all, without regard to partisan stripe or affiliation, have highlighted the need for us to get a handle on our mandatory budget or entitlement spending.

The chairman of the Federal Reserve noted that these rising entitlement obligations will put enormous pressure on the Federal budget in the coming years.

In fact, if we do nothing over the next 30 years, we would not have a dime to pay for anything except for four areas: Social Security, Medicare, Medicaid, and part of the interest on the debt.

We will not have the resources for other important priorities, including fighting the global war on terror, securing our borders, veterans health care, and education.

As we all know, the President's budget includes a number of proposals to slow down the rate of growth in entitlement spending. I think this is a good place for the Senate Finance Committee to look at reducing the debt.

If the majority has ideas that will also help reduce the debt, my amendment gives them the opportunity to put it in action because it is an instruction to the Finance Committee to

come up with a way, in their wisdom, that they believe they can accomplish this important goal.

Last year, I offered a similar amendment on the floor. Some on the other side noted how my amendment may be a little unpopular back home. That is what happens when you go on a budget. We have been on a binge, with no limitation on spending, and it is time for the Federal Government, similar to the American family, to get on a budget. No one likes budgets, but it is the responsible thing for us to do.

I don't think it is unreasonable for us to find savings in the amount of \$34 billion out of the growth of entitlement spending over the next 5 years given that under the budget during that period of time, the Federal Government will spend some \$15 trillion. In other words, we are looking for \$34 billion in savings over the same period of time the Federal Government will spend \$15 trillion.

As Chairman Bernanke said in his written testimony to our committee:

Addressing the country's fiscal problems will take persistence and a willingness to make difficult choices.

The Comptroller General of the United States, in his written testimony to the Budget Committee, said:

We owe it to our country, children and grandchildren to address our fiscal and other key sustainability challenges.

As I said, this is not a partisan issue, or certainly should not be. Our distinguished chairman of the Budget Committee has been eloquent on this subject. We see on this chart, he said on February 7, 2007:

I have said I am prepared to get savings out of long-term entitlement programs.

Unfortunately, the number reflected at the bottom of this chart is the number of savings from entitlement programs in the budget he has proposed. It is a big fat goose egg. I think we can do better.

I heard time and time again Members on a bipartisan basis say this is one area where we ought to work together to try to solve this problem for our children and grandchildren so we don't pass our debt to them for what we are spending today in these entitlement programs. But I ask: If not us, then who? And if not now, then when?

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, first of all, the chart by the Senator is factually wrong. When he puts up a zero, he is not talking about my budget because my budget has \$15 billion in savings out of Medicare. So that chart, as colorful as it is, is just factually inaccurate.

No. 2, if we look at what the Senator is proposing, the majority of the Medicare savings that are in the President's budget that Senator CORNYN is picking up in his proposal are generated by either freezing or cutting market basket updates for hospitals, for nursing homes, for rehabilitation facilities, for

hospice, for home health, and ambulance services in every year over the next 10 years.

MedPAC, which makes recommendations on market basket updates 1 year at a time, does not concur with many of the proposed cuts in 2008, much less the cuts over the next 10 years. For example, given the negative margins many hospitals are facing, MedPAC which is bipartisan, nonpartisan—has recommended a full market basket update in 2008 for inpatient and outpatient hospitals.

In many cases, over time, these across-the-board cuts proposed by Senator CORNYN will hurt seniors' access to health care.

There is no question about us having a serious problem with respect to the long-term entitlement challenges and what is the right way to deal with it. Frankly, I don't think any budget resolution is the place to deal with the long-term entitlement challenge. The budget resolution is only for 5 years. The contribution the budget resolution can make is to achieve balance within that period, budget balance within that period, but I believe the long-term challenges, which are challenges of 15, 20, 25 years, can only be resolved by a bipartisan working group or commission, equally represented by Democrats and Republicans, to come back to Congress with a proposal to deal not only with Medicare but Medicaid and Social Security and the other long-term fiscal imbalances we have. Senator GREGG and I have such a proposal. I think that is the right way to address these long-term problems.

We all acknowledge we are on a course that absolutely is unsustainable. As chairman of the Budget Committee, I have organized hearing after hearing after hearing to put a focus on precisely that problem. We all know in this country that we are spending far more on health care than any other country. Mr. President, 16 percent of our gross domestic product is going for health care. The next largest spender in comparison is at 11 percent of gross domestic product. That difference—the difference between 11 percent of gross domestic product and 16 percent—is \$800 billion a year—a year.

To put the President's Medicare and Medicaid cuts and the cuts proposed by this amendment in perspective, consider that his budget would cut those programs by \$270 billion over the period from 2008 to 2017. Those savings would be more than wiped out by the \$2 trillion in tax cuts proposed by the President over that same period. They talk about helping us get back on some kind of fiscal path, but the math doesn't work. The math doesn't come close to working. They would have savings from Medicare and Medicaid of \$270 billion over that 10-year period, but that is totally dwarfed by the cost of their tax cuts over that same period.

I do not believe this amendment merits our support. I do not believe this is the right policy. I do not believe cut-

ting the reimbursement for hospitals, for nursing homes, for rehabilitation facilities, for hospice, for home health, and ambulance services is the right way to proceed.

I do believe we need separately, apart from a budget resolution, to deal with the long-term entitlement challenges, either through the kind of working group Senator GREGG and I have proposed or through a bipartisan commission. I don't think a budget resolution that will be largely supported just on one side of the aisle is the appropriate place to deal with these long-term challenges.

Mr. President, what is the time remaining?

The ACTING PRESIDENT pro tempore. The proponent of the amendment has 54 minutes remaining. The majority manager has 54 minutes remaining.

Mr. CONRAD. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, here is the problem. The budget before us does absolutely nothing in the area of addressing entitlement reform and savings and does a significant amount of spending money, a significant amount of tax increases. It raises the tax burden of the American people from its historic level 18.2 percent up to 20 percent. It raises taxes by hundreds of billions of dollars. It raises spending by tens of billions of dollars but does not address the most fundamental issue we face as a nation, which is the pending financial meltdown of this country as a result of the baby boom generation retiring, and our children cannot afford the costs.

The Senator from Texas is right, there are zero savings on the mandatory side of this budget. When the chairman gets up and says there is \$15 billion of savings, he forgot to finish the sentence. There is \$30 billion of spending. So actually there is a net loss on the entitlement side for the proposed budget. That has been adjusted by the amendment of Senator BAUCUS, so it is now basically a wash where we have no savings, \$15 billion of savings, \$15 billion of new spending in entitlement programs. So there is a zero on that account.

What is being proposed by the President is entirely reasonable. What is being proposed by Senator CORNYN is reasonable. He suggests going forward we should accurately reflect the reimbursement rate for hospitals and for providers—not doctors in this instance but for providers. It doesn't affect beneficiaries. But to call this a freeze or a cut is totally disingenuous because it is neither. Spending is going to increase dramatically in the entitlement accounts, especially in Medicare, by trillions of dollars. Only in the nomenclature of the Democratic side of the aisle is a trillion dollars of increase called a cut when it is reduced from trillions to trillions less .2 percent,



two-tenths—two-hundredths of 1 percent.

That being said, it is not even a freeze or reduction from the concept of the way it is structured. What is being proposed in the Cornyn amendment, which is reflective of the President's original proposal, which is the reimbursement rate, which is now inflated by 1.5 percent because of savings and technological advances, so the reimbursement rate is about 1.2 percent more than it should be to accurately reflect the fair reimbursement rate because the reimbursement rate is inflated by savings and benefits which providers get through cost savings and technological advantages—what is being proposed by the Cornyn amendment is we take half that inflated payment—just half of it—and put it back into making the system more solvent so our kids can afford the system and we will have a solvent system for our seniors.

That is what this is about: taking half of that inflated payment, which is about a six-tenths of 1 percent adjustment. Yes, it translates into big dollars, but as a practical matter, it is a fair adjustment, and we save it so that our kids can benefit from it by having a more affordable system and our seniors can benefit from it.

The President's program does not affect senior citizens. It affects providers. Only the wealthiest seniors citizens will be impacted by the President's program, and we will get to that amendment next, which will be the Part D premium and how that should be reimbursed by wealthy seniors.

This is a reasonable amendment. It is regrettable it wasn't included in this budget. The Senator said this budget is only going to be passed by the other side. Quite honestly, if the Senator had accepted this amendment and the Ensign amendment which will be next, which would make the Part D premium properly reimbursed, and had taken the Kyl amendment yesterday, he would have a bipartisan budget. He would have a bipartisan budget. But he wants to stick to the tax-and-spend, do-nothing-on-entitlements budget he brought to the floor. He doesn't have a bipartisan budget. We are trying to help him out. We are trying to make it bipartisan, more reasonable and, most importantly, helping out our kids and people who are going to retire by making the Medicare system more solvent.

This amendment, if it is adopted, and the next one—if those two amendments are adopted, they will address the out-year insolvency of the Medicare trust fund, which is now about \$32 billion, and will reduce that insolvency between 25 percent and 35 percent. That is huge and is good news. It would be very good news if we do it. We should do it. If we don't do it, in 10, 15 years, we will have to pay the piper. The system will melt down, our kids will be stuck with the bills, and their lifestyles will be impacted in a very negative way.

Why don't we get a time agreement on this amendment so we can go to the next amendment and move on?

Mr. CONRAD. Mr. President, I don't think we are quite prepared to do that because we have others who are going to want to speak. But I think we can deal with this pretty expeditiously and come pretty close to the tentative schedule to which we agreed.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, much of what the Senator has just said, frankly, I agree with. The truth is, we are on a completely unsustainable course. It must be dealt with. The question is how to best deal with it.

With respect to the amendment of the Senator from Texas, I got a letter from 43 of our colleagues in the Senate, including 11 Republicans, on this very subject. They said: Do not cut hospital reimbursement.

In my part of the country, hospitals are dealing with negative margins. They are losing money. If this amendment were to go forward, unfortunately, it would be devastating to hospitals, to nursing homes, to hospice care, to ambulance services, especially in the rural parts of our country, and virtually every State has rural parts.

The MedPAC statistics are very clear on this question. Yes, there are some hospitals that are enjoying positive margins. They tend to be urban hospitals that have much higher rates of reimbursement under Medicare than do rural hospitals. Let me give an example.

In my State of North Dakota, at Mercy Hospital in Devils Lake, ND, if they are treating somebody who had a heart attack, they get one-half the reimbursement of Our Lady of Mercy Hospital in New York City—one-half as much. Their costs aren't half as much, but their reimbursement is half as much. By the way, those hospitals, many of them in my State—I have over 40—are experiencing negative margins. They are losing money.

The Senator says this doesn't represent a cut. He is right in one sense. It will be more money. But in relationship to the expense, it will be less. That is the way in which it represents a cut. He is absolutely correct it will be more dollars the next year than the year before, but in relationship to the expenses, which are going up more rapidly in health care, as we all know, than the underlying rate of inflation, guess what. It will be less. That is why I use the term "a cut."

To say the budget before us doesn't do anything about these matters is not true.

First of all, we have \$15 billion of Medicare savings in the underlying budget resolution. That is No. 1.

No. 2, we have a reserve fund called the Health Information Technology Reserve Fund. All of us know the expansion of information technology in health could lead to very significant savings. In 2005, only 15 to 20 percent of

physicians' offices and 20 to 25 percent of hospitals had electronic medical records systems. According to estimates by a RAND study from 2005, our Nation's health care system could save more than \$81 billion annually if we had widespread implementation of electronic medical records—\$81 billion a year. That totally dwarfs the savings of the amendment of the Senator from Texas.

Mr. President, I know the Senator from Ohio is here and wishes to respond. I yield 5 minutes to the Senator from Ohio.

Mr. BROWN. Mr. President, I thank my friend, the Senator from North Dakota, for his terrific work on this budget, and I rise to oppose the Ensign amendment.

Medicare is a social contract. Individuals pay into the program during their working years, and they receive health coverage when they retire. One good way to undermine universal support, to undermine support for the program is to arbitrarily make part of the Medicare population pay a significantly higher price for the same product. Ultimately, this will drive higher income individuals out of the program to purchase their own coverage. When that begins to occur, working individuals will begin to wonder why they are paying Medicare taxes when Medicare coverage may or may not be worth their while on retirement.

Medicare, I repeat, is a social contract. Efforts to undermine it, such as this one, will fail.

It is interesting that there are Members of this body who want to raise taxes on Medicare beneficiaries while at the same time cut taxes for Donald Trump. I repeat: Raise taxes for Medicare beneficiaries but cut taxes on some of the wealthiest individuals in our country. If you want to undermine Medicare, create winners and losers among its enrollees, then that is the way to do it.

There is something else at work here, though. I came to the House of Representatives 14 years ago, and almost immediately, I saw the hostility many Members of this body and that body felt toward Medicare. In 1995, when the Republicans took control of the House of Representatives, one of the first things they did—it was their first opportunity to go after Medicare—they proposed tens of billions of dollars in cuts in Medicare in order to pay for their tax cuts for the wealthiest people. The same kind of thing here—cut Medicare to pay for tax cuts on the wealthiest people in our country. That is the kind of hostility they had. Every time they had a chance, once they were in the majority, they tried to do it.

The Speaker of the House in those days said that under his plan, Medicare would wither on the vine. So they began attempts to privatize Medicare, to shift to fee-for-service. Traditional Medicare, which had served this country well—at that point for three decades, now for four decades—they wanted to take traditional Medicare and to

privatize it and push some Medicare beneficiaries out of traditional Medicare into Medicare managed care. The Government pays more for Medicare managed care, and beneficiaries and taxpayers get less for those dollars. But it is all part of their efforts to undermine Medicare.

Maybe we should go back further than 10 years ago or 14 years ago and go back to 1965 when Medicare was created. In this body, overwhelming numbers of Republicans opposed Medicare, the creation of it. In this body and across the hall, in the House of Representatives, a huge, overwhelming majority of Republicans opposed the creation of Medicare then. They were hostile to the concept of universal coverage, of making sure every elderly person in this country had the opportunity to enroll in Medicare. They are hostile to it today, and they were hostile to it in 1995, when Speaker Gingrich said Medicare would wither on the vine. They began the attempts to cut Medicare on the one hand and to do further damage by privatizing it on the other.

We are continuing to see this assault even now. They say they are for Medicare. They run television ads saying: We would never cut Medicare; we think it is a great program. But when they come to the floor of this body, of this Senate Chamber, over and over, from every different direction, they attack one of the single greatest programs that this Government has ever created and that our people have ever had.

In 1965, half the elderly in this country had no health insurance. Today, after 41½ years of Medicare, almost everybody in our country is covered. If they had their way, they would begin to privatize, they would begin to cut, and Medicare would not be the universal program with the universal, overwhelming support of the people in this country.

If the Senate wants to reflect what the people in this country think, we should overwhelmingly defeat the Ensign amendment because it undercuts what is best about our health care system. It undercuts the universal nature of Medicare, which works for everybody. If you want to preserve Medicare, there are things we can do to fix it, to make some small adjustments. But this amendment is not the way. We should defeat the Ensign amendment.

Mr. GREGG. Mr. President, I have attempted not to respond to the Senator from Ohio because he appears to be stuck in the period of 1960, when, apparently, our position was defined by somebody who was here in 1960. I wasn't here in 1960. I probably won't be here in 2025. In fact, I am absolutely sure I won't be. But that is going to be when this Medicare system goes broke.

What I am concerned about is my children, America's children, and their children being able to afford this system when I retire and the rest of my generation retires and makes it basically unaffordable. The proposals the

President has put forward are an attempt to make the system solvent, or at least more solvent. It doesn't bring it into solvency, and there are reasons for that.

The Senator from North Dakota makes a good point: Rural hospitals are not reimbursed correctly under the formula. But that is not the issue which is being raised by the Cornyn amendment. That issue, actually, will be addressed by the Grassley amendment, which I understand is going to be offered to get the reimbursement straight.

What is very obvious is that there is an inflated reimbursement rate occurring within Medicare of about 1.2 percent due to technology advancements and due to savings through efficiencies, which is inuring to the benefit of the system at the expense of the long-term life structure of the system. It is reasonable to take half that benefit—half that benefit—and apply it to make sure the system has more solvency to it.

#### AMENDMENT NO. 472

Mr. President, I send an amendment to the desk on behalf of Senator ENSIGN, and I ask that it be reported.

The PRESIDING OFFICER (Mr. OBAMA). Without objection, the pending amendment is set aside, and the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. ENSIGN, for himself, Mr. GREGG, and Mr. GRAHAM, proposes an amendment numbered 472.

Mr. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require wealthy Medicare beneficiaries to pay a greater share of their Medicare Part D premiums)

On page 4, line 6, decrease the amount by \$102,000,000.

On page 4, line 7, decrease the amount by \$312,000,000.

On page 4, line 8, decrease the amount by \$633,000,000.

On page 4, line 9, decrease the amount by \$868,000,000.

On page 4, line 10, decrease the amount by \$1,113,000,000.

On page 4, line 15, decrease the amount by \$102,000,000.

On page 4, line 16, decrease the amount by \$312,000,000.

On page 4, line 17, decrease the amount by \$633,000,000.

On page 4, line 18, decrease the amount by \$868,000,000.

On page 4, line 19, decrease the amount by \$1,113,000,000.

On page 4, line 24, decrease the amount by \$102,000,000.

On page 4, line 25, decrease the amount by \$312,000,000.

On page 5, line 1, decrease the amount by \$633,000,000.

On page 5, line 2, decrease the amount by \$868,000,000.

On page 5, line 3, decrease the amount by \$1,113,000,000.

On page 5, line 7, decrease the amount by \$102,000,000.

On page 5, line 8, decrease the amount by \$414,000,000.

On page 5, line 9, decrease the amount by \$1,048,000,000.

On page 5, line 10, decrease the amount by \$1,916,000,000.

On page 5, line 11, decrease the amount by \$3,029,000,000.

On page 5, line 15, decrease the amount by \$102,000,000.

On page 5, line 16, decrease the amount by \$414,000,000.

On page 5, line 17, decrease the amount by \$1,048,000,000.

On page 5, line 18, decrease the amount by \$1,916,000,000.

On page 5, line 19, decrease the amount by \$3,029,000,000.

On page 19, line 12, decrease the amount by \$100,000,000.

On page 19, line 13, decrease the amount by \$100,000,000.

On page 19, line 16, decrease the amount by \$300,000,000.

On page 19, line 17, decrease the amount by \$300,000,000.

On page 19, line 20, decrease the amount by \$600,000,000.

On page 19, line 21, decrease the amount by \$600,000,000.

On page 19, line 24, decrease the amount by \$800,000,000.

On page 19, line 25, decrease the amount by \$800,000,000.

On page 20, line 3, decrease the amount by \$1,000,000,000.

On page 20, line 4, decrease the amount by \$1,000,000,000.

On page 25, line 12, decrease the amount by \$2,000,000.

On page 25, line 13, decrease the amount by \$2,000,000.

On page 25, line 16, decrease the amount by \$12,000,000.

On page 25, line 17, decrease the amount by \$12,000,000.

On page 25, line 20, decrease the amount by \$33,000,000.

On page 25, line 21, decrease the amount by \$33,000,000.

On page 25, line 24, decrease the amount by \$68,000,000.

On page 25, line 25, decrease the amount by \$68,000,000.

On page 26, line 3, decrease the amount by \$113,000,000.

On page 26, line 4, decrease the amount by \$113,000,000.

Mr. GREGG. Mr. President, the Ensign amendment addresses what the Senator from Ohio started speaking on. He anticipated, I guess, this amendment.

To try to explain the way the Medicare system works today, Part A you pay for, theoretically, with your hospital insurance. Part B, which deals with doctors, you pay for, theoretically, with a premium, but the premium is subsidized to the tune of 75 percent of the cost of the premium. Part D, you don't pay for anything, for all intents and purposes, except for the insurance, to the extent you buy insurance. But the actual coverage that is federally supplied is not paid for. Part D is a drug benefit. This amendment says that high-income individuals, people with incomes over \$80,000 individually and \$160,000 jointly, should have to pay a fair proportion of the premium of Part D that is now being subsidized by working Americans.

Let me try to put it in context. There is a single woman working in a restaurant in downtown Des Moines or

there is a mother and father working on an assembly line in Poughkeepsie or there is a father working in a garage in New Hampshire. Those individuals, working for a living and trying to make ends meet, trying to do all the things you want to do to make your life better, are paying the cost of the drug insurance for retired Senators and for people who have extraordinary amounts of money—for example, Bill Gates' father. I don't mean to pick on Bill Gates' father, I am sure he is a nice man, but he has enough money to pay for his drug insurance under the Part D Program, as can retired Senators, in most instances. Yet those people are being subsidized by working Americans because we have this system which doesn't require people to pay any portion of the fair cost of their drug insurance. We do it under Part B, we do require high-income people to pay, but under Part D, we don't. Now, with Part B, we don't require them to pay enough, but we at least require them to pay something. Part D, we don't.

So this amendment simply says that in the Part D Program, high-income people, people with incomes over \$80,000 and \$160,000, should have to pay some of their cost. I find it incredible that the Senator from Ohio opposes that on the grounds of fairness to working Americans. The working Americans are the ones having to pay that cost. It is just incomprehensible to me that the other side of the aisle, which consistently talks in terms of making sure high-income people pay a fair share of the burden of the Federal Government's costs, are not willing to ask those same high-income individuals pay the fair share of the cost of Medicare. And we are not even asking for a fair share, quite honestly.

So that is what the Ensign amendment does. It is a very appropriate amendment, and it would save a significant amount of money over the long term for the Medicare trust fund. I think it is somewhere around \$1 trillion. It would actually move the Medicare system toward solvency by \$1 trillion over the actuarial life, which is 75 years. In the short term, it is obviously nowhere near that number. But it is a significant effort to try to put in place a good policy, a correct policy, which is that high-income individuals should pay a fairer cost of their drug benefit and at the same time use those funds to make the Medicare system more solvent for seniors who are going to be retiring in the future. It is very reasonable. It only affects 5 percent of seniors, which means 95 percent of seniors are not impacted at all and, thus, it should be done. It should be done now. We shouldn't wait to do it. We should do it now because now this problem is coming at us pretty fast. If we don't get started on it, it is like that old oil filter ad: You can pay me now or pay me later. If we wait until later, this will be extraordinarily expensive. This is one of the things we should do, along

with the original Cornyn amendment. We should also do that.

Mr. CONRAD. Mr. President, I actually enjoy listening to my colleague, Senator GREGG, because he is thoughtful and passionate on these matters, and in many ways we are in very close agreement. I know it may not appear that way to people listening, but there are many things the Senator says that are absolutely true, and so that part of his presentation I want to agree with.

It is absolutely the case that we are headed on a course which is unsustainable. It is absolutely the case we cannot continue on the current path. It is absolutely the case that, in my judgment, a policy initiative along the lines of what the Ensign amendment provides is going to have to be part of an ultimate solution. In fact, I voted for such things with respect to Part B in the past. I have supported them publicly. I have campaigned on those things. But I must say, the reality here is this: We all know the budget resolution does certain things and does not do certain other things. The budget resolution, as much as we might want it to, does not determine policy outcomes such as those prescribed in the Ensign amendment or, for that matter, the Cornyn amendment. It simply doesn't have that power.

The budget resolution will give an assignment to the Finance Committee of how much money to raise, of how much money to spend. It does not tell them how to do it. Both the Cornyn amendment and the Ensign amendment seek to do something the budget resolution cannot do. They seek to prescribe, to require the Finance Committee to come up with certain policy outcomes. The Budget Committee does not have that power, it does not have that authority, and it cannot be done through a budget resolution.

Let's be square with people who are listening about what we can do and what we cannot do. The effect of these amendments, the true effect, will not be to do any of the policy prescriptions we talked about here. It will only be to reduce the amount of money for Medicare the Finance Committee has to meet the needs of the American people. That is what these amendments will do.

On the specific policy of the Ensign amendment, I am sympathetic to the basic notion. The problem is the specifics. The devil is in the details. First, as a member of the Finance Committee as well as the Budget Committee—and the Finance Committee will decide this, not the Budget Committee—on the policy of this amendment raising Part D premiums for certain higher income enrollees, I have many questions. How would CMS go about charging some people higher premiums under Part D when the premiums are set by drug plans, by private drug plans, not by CMS? How is that going to work? How can CMS require higher premiums to be collected from private plans? As we all know, there are more than 1,500

private drug plans, each with a separate premium they offer. How, conceivably, would this policy be implemented?

Premiums are important price signals for beneficiaries in the Medicare Part D Program. Under this approach, would we be setting multiple premiums for a single Part D plan? Will this not add to the complexity of the program? This seems to dramatically complicate the market-based approach of Part D.

When the administration came before the Finance Committee on this proposal, they had no answers when asked how their premium proposal would actually work and how it would affect the ability of beneficiaries to shop for plans. The administration simply had not thought through how this would all work in the real world. This is another reason why the Budget Committee in a budget resolution does not make these judgments. It simply does not because this is a policy determination that is in the authority of the Finance Committee.

While I am very sympathetic to the basic notion of income-related premiums and Medicare—I think it is going to have to be part of the long-term solution—the Budget Committee doesn't make these determinations. The Budget Committee does not make this policy. To suggest it does is simply to mislead our colleagues and mislead those who are listening. The one thing that these two amendments, the Cornyn amendment and the Ensign amendment, would do is to cut funding, reduce funding that the Finance Committee would have to provide resources under Medicare. All the other things they have talked about here, the policy prescriptions they have outlined, are a nullity. They mean nothing because the Budget Committee and the budget resolution do not make those decisions.

Let's go to the larger question of how are we going to get out of this very serious long-term entitlement crunch we face? As I have indicated, I believe the only way it is going to happen is either a working group or a commission that is bipartisan in nature, evenly divided between Republicans and Democrats, that is given the authority to come up with a plan and that they then come back to Congress on a fast-track basis for congressional approval. I believe it requires the involvement of the administration. I believe it requires the involvement of Democrats and Republicans in the Senate and the House. I believe it involves health information technology—which we have a reserve fund in this budget resolution to address, which the RAND Corporation has told us could save \$80 billion a year.

I believe it involves focusing on the chronically ill; that is the 5 percent of Medicare beneficiaries who are using half of the money. We already know if we better coordinated their care, we could have substantial budget savings and get better health care outcomes. What a remarkable thing that would

be, to both save money and to get better health care outcomes. How could that be? Very simply: That 5 percent of Medicare beneficiaries who are using half of the budget, no one is managing their cases—or in most cases nobody is managing their cases. So what happens? They are seeing multiple specialists who are giving them multiple prescriptions. They are being subjected to multiple tests, none of it very well coordinated. As a result, a lot of money is wasted and in many cases they are made less healthy. How can that be?

We did a study with some 20,000 patients. We put a case manager on every one of their cases. It was very interesting. The first thing they did was go into their households and get out all the prescription drugs they were taking. On average they found they were taking 16 prescription drugs. After review of the cases, they found they could cut that in half, cut it down to eight prescription drugs. The result was, people were healthier.

Let me give an example from my own life. I went into my father-in-law's kitchen and got all the prescription drugs he was taking out on the table. Sure enough, he was taking 16 different prescription drugs. I got on the phone to the doctor, started going down the list. When I got to the third drug he said, My God, he should not be taking that. He should not have been taking that for the last 3 years.

I go further down the list, two drugs he is taking, the doctor says to me, He should never be taking those two together, they work against each other.

I said, Doctor, how does this happen?

He said, It is very simple. Your father-in-law has three doctors: a heart doctor, a lung doctor, an orthopedic specialist; he has me as his family practice physician. They are all prescribing different drugs for him. None of them know what the other is doing. He is sick and confused, his wife is sick and confused—we have chaos.

He said, I am the one who is supposed to know, but your father-in-law is getting prescriptions in the hospital pharmacy, the corner pharmacy, the pharmacy down at the beach, he is getting a mail order. As I say, he was sick and confused, his wife was sick and confused and nobody knew what was happening. He had three MRIs in the last 9 months of his life.

That is what is happening in this medical system over and over. That is where the big money is. These amendments do not do anything about it and the fact is, no budget resolution can do anything about it because the budget resolution does not decide these policy matters. It is left to the committee of authorization. It is left to the committee that has jurisdiction, and the committee that has jurisdiction on these health policy issues is not the Budget Committee, as much as I might wish it were so. The committee of jurisdiction is the Finance Committee. They are the ones that will make these policy determinations.

As well meaning as these amendments are, No. 1, they do not do what they say they are going to do and, No. 2, the thing they do accomplish is to cut funding for Medicare. And MedPAC, the nonpartisan-bipartisan professionals who make recommendations to us on Medicare policy, has said these cuts, these specific cuts would be counterproductive; that they would cut hospitals, they would cut nursing homes, they would cut hospice care, they would cut ambulance services. In rural areas where hospitals are already suffering negative margins, what these amendments might accomplish is to put those health care facilities right out of business. That is what would happen in my State, according to the hospital directors of the more than 40 hospitals in my State. They say: You pass these amendments and some of our hospitals are shutting their doors.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the intensity of the Senator from North Dakota. I wish it would be followed up with legislative language. I have heard his talk before on Medicare and on his family situation, but he is going to be giving that same talk 10 years from now at the rate we are going around here. We are not getting anything done. These proposals would get things done.

The concept that this is going to close a hospital, a .6 percent reduction in the reimbursement rate, which is going up? That is absurd on its face. No, what is being proposed here is a legitimate effort to try to get at the underlying problem, which is the trust fund has a \$32 trillion unfunded liability—trillion. That is almost the net worth of the entire country. That is almost as much in taxes as have been paid in since the country started. It is a huge problem. This budget does nothing about it, even though there has been significant rhetoric from the other side of the aisle about that. We are suggesting we do something about it.

Sure, the budget doesn't do the nuts and bolts of policy, but the budget has a lot of policy in it. You cannot on one hand say we don't do nuts and bolts of policy and then have a budget which is laden with policy—assumptions and specific language—in SCHIP, in taxes, in war fighting. It is inconsistent.

This is a reasoned approach, both of these amendments. Why shouldn't somebody making more than \$160,000 a year pay some fair percentage of their drug costs so somebody who does not have that type of money can afford the drug costs down the road? Of course, they should. These two amendments are as close to apple pie as you can get if you are going to try to address the issue of Medicare. They are reasonable. If we can't do this, then we can't fix the Medicare system. That is the problem. If we do not fix the Medicare system on our watch—since we are the

problem, the baby boom generation—then we have real issues. That is why we should proceed with these amendments.

I see Senator SMITH is here. I suggest we move on to his amendment so we can get on the time.

Mr. CONRAD. We can do that after I yield 5 minutes to Senator STABENOW on these amendments, and then we can.

Mr. GREGG. Why don't we agree by unanimous consent that after Senator STABENOW speaks for 5 minutes we go to Senator SMITH?

Mr. CONRAD. Fair enough.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I thank the chairman and everyone for all the hard work they are doing on this very important budget. I am happy to talk about ways we can save dollars in Medicare without cutting access or quality under Medicare. These amendments do not do that. These amendments start from the premise that we are going to cut providers. Let's look at doctors or hospitals or home health or maybe hospice, maybe nursing homes. It says what we ought to be doing is cutting back on payments in this system, which will cut back on their ability to service people, the ability for people to get care they need.

I find it so interesting on all of these amendments that folks—my friends on the other side of the aisle—go after those who are receiving health care. Medicare is a universal system. Everyone pays in. It involves choice. You can go to an HMO or your own doctor, you can sign up for Part B and get more coverage, pay a bigger premium, Part B—it is a system that has worked, but everyone has paid in.

So this notion that somehow we are going to pick this apart on the floor of the Senate without going through the process of looking at the whole system and how we really achieve savings, really achieve savings without cutting services, is mind boggling to me.

We saw a \$400 billion Medicare prescription drug benefit pass the Senate, which now costs more—we do not know how much more but costs more—by the way, unpaid for, paid for on a credit card, I guess, that we know could be less than that.

If we talk about savings in Medicare, let's negotiate prescription drug prices. That is a way to make sure that we lower the price of Medicare. Now, it would involve taking on folks who many of my friends on the other side of the aisle support, industries that benefitted from this Medicare bill. But rather than saying we are going to cut our doctors trying to service our seniors, or our hospitals trying to hold it together and treating people, or home health, rather than saying we are going to cut out services in some way, let's go to the real cost. I am happy to go to the real costs that we can address while increasing access and quality.

One is to negotiate a better deal, negotiate a better deal for prescription drugs. I hope we are going to, in fact, do that as a Congress to be able to get a better deal.

Another thing would be to take the 31 cents on every dollar in health care that is the administrative cost—most of this is generated by the Federal Government in some way—and address health information technology, which many of us have worked on, Senator SNOWE and I have legislation on, Senator KENNEDY, Senator ENZI. We have bipartisan interest. Let's tackle that, and that would increase quality and access and dramatically cut the cost.

E-prescribing of prescription drugs alone, according to the Rand Corporation, would save \$80 billion, just your pharmacy being able to talk to your doctor, talk to the hospital, and so on.

I came from a meeting where people were talking about great things: the increase in quality and access, and cutting costs. So let's talk about health IT. Let's talk about generic drugs which, if we have more competition from generic drugs, we would dramatically bring down the costs of Medicare.

So there is a lot we can do that does not involve going to the folks providing care and saying: We are going to cut you one more time. We are going to cut you one more time, or going to the universal nature of a health care system. This is not a low-income system. This is a universal system where everybody in America pays in, and it is stronger because of that.

So I would say that we should reject the two amendments in front of us. But we should certainly get about the business of addressing health care costs in this country through Medicare and through other means. We spend almost twice as much of our GDP on health care than any other country, with 50 million people with no health insurance. That alone shows there is something wrong with that picture.

We know we have had increases in Medicare, no question about it. But let's look at where they are coming from. Let's look at where they are coming from. Certainly, the area of lacking prescription drug competition is a big one. Administrative costs is a big one. Let's look at where we can save costs. I know it means taking on some pretty big special interests. There has been an unwillingness to do that because there are folks who make a lot of money off of Medicare, a lot of money.

I would not suggest it is the doctors or the hospital or the hospices or home health nurses, but there are folks who make a lot of money. They do not want to see us deal with the real costs. So let's go back one more time after the providers. Let's go back one more time and try to dismantle what is a universal health care system called Medicare. It works.

Frankly, I would like to see that kind of a universal system available, that is structurally available to every

American, not just find ways to cut the one part of universal health care that we have in this country. I would hope that we would leave it to the Finance Committee to wrestle with all of those issues and let us figure out how to do this right.

I would hope my colleagues would say no to these two amendments that take us backwards in providing health care for every American.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### AMENDMENT NO. 510

Mr. SMITH. Mr. President, I appreciate the efforts of the chairman and ranking member in setting forth a budget for the United States.

I come to the floor today to speak briefly about two amendments that I have at the desk that focus on two issues relating to health care, which I think are very important. I hear a lot of support in the Chamber for the reauthorization of SCHIP. I, for one, not only want to reauthorize it but expand it.

There are all kinds of ideas for how to fund such a thing. I am here today to speak substantially about how we actually get the real dollars to accomplish that.

It is hard to do a townhall meeting in my State where the issue of health care does not come up. It should come up. Usually there is a story about a child with a health condition ranging from a cold to a broken leg, sometimes cancer, children who do not have access to health care. You see it in the papers nearly every day. Frankly, it is inexcusable in the United States of America.

So I have come today to make a proposal on the budget that is unusual for me because it involves a tax increase. I am very proud of my record in the Oregon State Senate and the U.S. Senate of opposing new taxes and voting to reduce taxes. But when it is appropriate, I have in the past voted to increase taxes on tobacco products in order to provide money for health care because of the important nexus that exists between tobacco use and public health care costs.

So today with my amendment I am proposing that Congress dedicate an increase in the tobacco products excise tax of up to 61 cents to SCHIP reauthorization.

In my home State of Oregon, 117,000 children do not have access to health insurance. We know almost half of these children are currently eligible for either Medicaid or SCHIP but they simply are not enrolled. The challenge Oregon faces is that even if they allocate adequate State funding to cover these children, they do not have enough Federal money under the current SCHIP allotment to enroll them.

Increasing the tobacco excise tax would allow Oregon to reach out, as in other States, to find those kids and get them enrolled so they have health care coverage. Oregon is one of many States

that have a looming so-called shortfall. Starting in 2009 the State of Oregon will run out of money to simply cover the children who are currently enrolled, to say nothing of those who are eligible but unenrolled.

Should that happen, the State would potentially cut off new enrollments and be forced to reduce eligibility levels. So increasing the tobacco excise tax will stop that from happening. While we do not yet have an official score from the Congressional Budget Office, we do know that based on their estimates a 50-cent increase would generate an additional \$26.6 billion in new revenue.

The tax now stands at 39 cents. I proposed in my amendment to increase that up to 61 cents for a total Federal tobacco tax of \$1. That would be dedicated to reauthorize SCHIP. I believe if the Finance Committee chooses to utilize the full 61-cent increase, we would see at least \$30 billion for SCHIP, if not the \$35 billion.

Therefore, I hope my colleagues will find it in their hearts and in their mouths to vote aye when this very important vote is cast because it literally means health care for children. Many groups have supported this amendment. To name a few prominent ones: the March of Dimes, Families USA, the American Hospital Association, the National Council of Community Behavioral Health Centers, America's Health Insurance Plans, and First Focus.

#### AMENDMENT NO. 509

My second amendment relates to the battle against HIV/AIDS. This battle is being hindered because we are not focusing enough effort on providing early treatment to individuals who have been diagnosed with this disease. By targeting treatment earlier, we can help prevent the progression to full-blown AIDS. This is especially true for low-income individuals who may lack stable access to potential lifesaving pharmaceutical treatments and other health care services.

While Medicaid is an important provider of health care to those living with HIV/AIDS, most States require that individuals become disabled before they can qualify for coverage. In a sense, they must become sicker before they get treatment. That is simply not right. Full-blown AIDS is an incredibly costly illness to treat. It has much more of an impact on an individual's quality of life than HIV.

From a fiscal and moral standpoint it is essential that we focus more of our resources on providing early treatment to individuals with HIV. That is why I am filing an amendment to the budget resolution that would create a \$500 million deficit-neutral reserve fund for demonstration projects that provide Medicaid coverage to low-income individuals diagnosed with HIV.

It is similar to the bill that I filed last week along with 20 of my colleagues that extends to all States the option of providing Medicaid coverage to these individuals.

That initiative, known as the Early Treatment for HIV Act, or ETHA, was modeled after the successful breast and cervical cancer benefit added to the Medicaid Program several years ago. The treatment authorized under my amendment would be provided in the same earlier-is-better fashion, so that more HIV/AIDS cases are prevented from reaching the point of full-blown AIDS.

My amendment would provide Congress and the Centers for Medicare and Medicaid Services the opportunity to learn more about the cost-saving benefits of treating HIV in its early stages. It is expected that in addition to Medicaid, other Federal programs such as SSI and Medicare will realize significant long-term savings by preventing individuals from being disabled by AIDS.

With more and more States having financial difficulties with their AIDS drug assistance programs, it is important that we provide alternative methods of delivering treatment to those with HIV/AIDS who may be living in poverty. Most importantly, we will be able to help individuals with HIV lead healthier and longer lives. That way they can remain active participants in both the community and the workforce and improve their chances of living to one day see a cure for their illness.

Mr. President, I ask my colleagues to support this amendment. It is a reasonable and responsible placeholder to add to the Senate's budget blueprint. I look forward to working with all of you in passing this legislation should we enact it in the budget. I think we can greatly improve Medicaid services in this way to those with low incomes who are afflicted with HIV.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Senator ENSIGN will now be recognized for 5 minutes. We will then go to Senator WYDEN, Senator LIEBERMAN, and Senator DORGAN.

We appreciate very much Senator ENSIGN limiting his remarks to 5 minutes.

AMENDMENT NO. 472

Mr. ENSIGN. Mr. President, my amendment would impose an income test on the wealthiest seniors to ensure that they pay a greater share of their Medicare prescription drug coverage.

A couple of years ago, we had a vote in the Senate that would income-relate—in other words, means test Medicare Part B, which pays for medical services, like doctors' services. Medicare Part D is the part that pays for prescription drugs.

Mr. President, we already means test Medicare Part B. In order to put the Medicare program on better financial footing, we should extend the existing Medicare Part B income test to the Medicare prescription drug program.

It makes no sense for Bill Gates's father to have his prescription drugs paid for by a schoolteacher or a firefighter or a police officer or any other middle-

income American. This amendment says that a single senior, with an annual adjusted gross income over \$80,000 and couples with annual adjusted incomes of over \$160,000 a year would be responsible for a greater share of their Medicare Part D premium.

I have a chart that shows that the vast majority of Medicare beneficiaries would not be impacted by this proposal. Almost 96 percent of Medicare beneficiaries would not be affected by my amendment. This means that only the wealthiest 4.3 percent of seniors enrolled in Medicare Part D will pay higher premiums in 2008. Wealthy seniors have the means. We should not be burdening our children and grandchildren with even further debt by subsidizing wealthy seniors. That is what this amendment essentially does. It says that wealthy seniors should pay more for the Medicare prescription drug benefit.

The other side of the aisle says that we should raise taxes on the wealthy. This isn't raising taxes. This is getting wealthy seniors to pay for a benefit they are receiving that they never paid for. In the past, AARP and others have said that we should not means test Medicare.

In this instance, means testing is fair. Remember, that the Medicare prescription drug benefit is a new benefit. Today's seniors did not pay into the Medicare program, through payroll taxes, with the promise of a prescription drug benefit. What this amendment says is that if you can afford to pay higher prices for the Medicare Part D premium, then you should. That is, in essence, what this amendment is about. It is about fairness. Let's treat middle-income taxpayers of today and the future in a fair way by saying wealthy seniors—such as Bill Gates' father, such as my father, such as seniors who are in the upper-income brackets—pay their fair share instead of dumping this liability on future generations of taxpayers and making them pay higher taxes because we want to subsidize seniors to the current extent.

The Medicare Part B program is already means tested. We should further means test the Medicare program by requiring Medicare beneficiaries who make over \$80,000 a year as a single and \$160,000 a year as a couple, responsible for a greater share of their Medicare prescription drug premium.

To show a little support, the Washington Post, which is not exactly a conservative newspaper—and usually isn't in my corner—wrote:

One worthy proposal, contained in the Bush budget, would have imposed higher Medicare prescription premiums for higher-income beneficiaries . . . Unfortunately an amendment to that effect was defeated in the budget committee.

That was my amendment.

If Democrats are serious about dealing with health care entitlement spending, isn't it time for them to demonstrate that?

I believe it is time to demonstrate that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I begin by commending Senator CONRAD and Senator GREGG for doing an exceptionally good job bringing extraordinary professionalism and thoughtfulness to this debate, particularly because Chairman CONRAD and Senator GREGG have focused on what are the big issues for this country. Relating to the domestic side of the budget—we all know the big international issue is Iraq—the big issues are taxes and health care. One of the most attractive parts of the Conrad budget is that it lays the foundation for this country to look at big fixes to our tax system and to health care.

If we listen to all the technical lingo that comes up over the course of this discussion—pay-go, firewalls, reserve funds; perhaps the staff director, who does such a terrific job, Mary Naylor, may know about some of the intricacies of these terms—it is a complicated world of “budgetese.” What we do understand, however, are taxes and health care. The Bush tax cuts expire at the end of 2010. One of the reasons I support the Conrad budget is that it lays the foundation for meaningful tax reform. The Presiding Officer certainly hears this across the country: The tax system is broken. We now have three changes in the Tax Code for every working day. There have been more than 14,000 changes to the Tax Code since the last comprehensive tax reform. We are all getting ready to do our taxes again. Americans this spring will spend more money filling out tax forms than our Government spends on higher education. Senator CONRAD has pointed out the problem of tax havens and tax scams. There is an opportunity, as a result of this budget, to come together in a bipartisan way and fix the tax system. We know what needs to be done.

First, we to have clear out all the clutter, the thousands and thousands of loopholes that have been added since the last tax reform effort. Second, we have to simplify the system. I have brought to the Chamber a one-page 1040 form that is in my fair flat tax legislation that I will be reintroducing, and I have had a number of good conversations with our friend from New Hampshire about it. This is a chance for Senators to work together in a bipartisan way. The people at Money Magazine, the financial magazine, took my 1040 form and filled out their taxes in 15 minutes. It will bring about a dramatic change in American taxation. So we clean out the clutter, make the system simpler, and then keep progressivity.

There is a model for the Senate to follow. Senator GREGG and I heard a bit about it in the Budget Committee. Senator GRASSLEY and I heard a lot about it in the Finance Committee, when then-Chairman Grassley held hearings on tax reform during the last session. That is to take those principles I outlined—clear out the loopholes, hold



down the rates, simplify the system, and keep progressivity—and once again, because of this budget, fix American taxation in a bipartisan way.

It is worth noting that every witness who came before the Senate Finance Committee during the last session to talk about taxation said building on the principles of the 1986 Tax Reform Act were the way to go. Witnesses came to the Budget Committee earlier this year. They all said this was the right direction, to build on the principles of 1986. I have indicated to Senator GREGG—and I am interested in working with him; he was part of the discussions that took place in the Budget Committee—it is worth wrapping this subject up by way of saying the budget that is before us now, the Conrad budget. It allows for the Senate to come together in a bipartisan way to fix the tax system. This is eminently doable.

The President had a commission on taxation. My one-page 1040 form is 30 lines long. The President's is 34 lines long. For purposes of Government work, the two are equivalent. Democrats and Republicans can come together on this, simplify the tax system, do what was done in 1986 to clean out the clutter, hold down the rates, and keep progressivity so that everybody has a chance to get ahead.

We have heard a lot of talk about class warfare. I am sure the Presiding Officer hears a great deal about this topic as he travels around the country. What Americans want is a system that gives everybody the opportunity to get ahead. That is what we ought to be working on. That is what this budget allows.

In addition to taxes, this legislation allows for a bipartisan effort in this Congress to fix American health care, because of the reserve fund that is in the bill and constructive efforts that are going on in the Senate. In all deference to the Presiding Officer, the distinguished Senator from Illinois, and our other colleagues who are running for President of the United States, there is a feeling that this question of fixing American health care is something that will be dealt with in 2009. I am here to tell the Senate, I believe there is a good chance the Senate will come together in 2007. Five Democratic Senators and five Republican Senators sent a letter to the President, an important letter that involved both sides coming together. The Republicans who signed the letter said: If you are going to fix health care, you have to get everybody covered. If you don't get everybody covered, the costs for those who are uninsured get shifted to those who are insured. That is a statement about universal coverage. It is about 100 percent coverage. Our colleague from South Carolina, Senator DEMINT, and others, have some good ideas about how to accomplish that. Republicans moved in a way that is going to allow for a comprehensive bipartisan effort to fix health care. Democrats did as

well because the Democrats who signed the letter said: We need to modernize the marketplace. We have a tax system for health care that made sense for the 1940s; it doesn't make sense for 2007. The Tax Code for health coverage disproportionately rewards the most wealthy and promotes inefficiency. That is how the Federal government is spending \$250 billion. The Democrats and Republicans came together and said: We want to work in a bipartisan way. Republican Senators such as TRENT LOTT and MIKE CRAPO and BOB BENNETT and JIM DEMINT and JOHN THUNE, Democrats such as KENT CONRAD, KEN SALAZAR, Senator CANTWELL, Senator KOHL, and myself said: With all due respect to our good friend from Illinois and our colleagues who are seeking the highest office in the land, we are going to do our best to fix health care in this Congress. We have an opportunity with our letter.

The Presiding Officer knows I have introduced S. 334, the Healthy Americans Act. When I introduced that bill, the CEO of Safeway stood with me, Steve Burd, with more than 200,000 employees, as did Andy Stern, the president of the Service Employees International Union, with almost 2 million members. Back in 1993 and 1994, business and labor were fighting each other. Now they are coming together. What a remarkable transition. In 1993, the business community said: We can't afford health care reform. In 2007, the business community is saying: We can't afford not to fix health care.

We have laid a bipartisan foundation in the Conrad budget for Democrats and Republicans to come together in this session to fix health care.

An issue came up as we were going forward on the reserve fund that highlights that while I think a comprehensive fix of American health care can be done, there are going to be challenges along the way. One of them is how to deal with the CHIP program, the program that helps our youngsters. There is great support on both sides of the aisle for the CHIP program. But there have been some in the Senate who have said: We have to do CHIP and health reform together. We have to do both together, and that is the way to approach it. The universal coverage legislation isn't quite ready to go. I am hopeful it will be ready before too long and that it will be bipartisan. The Conrad budget makes it possible for Senators to come together through a reserve fund for universal coverage.

I also want to make sure that the millions of youngsters who need health care now are not forced to wait. We should not deny those youngsters justice right now, when the need, as the distinguished Senator from Illinois knows, is so great.

What we said in the budget is that after SCHIP is resolved—and I hope it will be very shortly—and we meet those urgent needs of millions of youngsters, then we proceed to the question of bipartisan efforts to ensure there is comprehensive health reform.

Those are the two big issues of our time—tax reform and health care—that relate to the domestic side of the budget. The Conrad budget leaves space for Democrats and Republicans to come together and fix our tax system and fix American health care.

(Mr. BROWN assumed the Chair.)

Mr. WYDEN. Under the Conrad budget, and the fair flat tax I have introduced, we could have a one-page 1040 form. People in the State of Ohio—I advise the Presiding Officer, our colleague from Ohio, and we are thrilled to have him in the Senate—could be filling out their taxes on a one-page form, ensuring progressivity, getting rid of the clutter, and holding down rates for everybody. Money magazine, when they took that form, said they could do it in 15 minutes. So all of the people in the State of Ohio and elsewhere who are pulling together their shoe boxes and their receipts right now in order to fill out their taxes, they could have an alternative, something based on a system we know works because Democrats and Republicans came together in 1986 in order to have such a tax system.

The Conrad budget makes it possible for us to enact tax reform even before the Bush tax cuts of 2010 expire.

On the health care side, the same bipartisan effort could occur: Democrats and Republicans could come together and fix health care. We establish a universal coverage fund, a health care reform fund, in this budget. It would allow, for example, for legislation, like the Healthy Americans Act which I introduced, that has brought together Andy Stern of the Service Employees International Union and Steve Burd, the CEO of Safeway, to say: This is where we ought to start. It would allow for the Democrats and the Republicans—who signed a letter to the President of the United States and said: We want to work with you, Mr. President, to fix health care—it would allow for that important effort.

A number of my colleagues on the Republican side have been extremely constructive in working with me and others to get that legislation before the Congress—not in 2009, when the popular wisdom suggests we will talk about health care, but in this session. But before that happens, because of the efforts in the Budget Committee that are included in the Conrad budget, we will first protect and expand the program that ensures justice for children in health care—the CHIP program.

The CHIP reauthorization will come first. Passing CHIP legislation, however, is not going to diminish our efforts to work in a bipartisan fashion on overall health reform.

Both Senator GREGG and Senator CONRAD are on the floor now. I just want to let both of them know, and our very talented staff director, Mary Naylor, that I believe they have brought extraordinary professionalism to this effort. They reflect great credit on the Senate in terms of how the two

of them and their staff work on this budget.

I urge my colleagues to support the budget that is before us particularly because it lays the foundation for the Senate to tackle the two big domestic issues of our time, taxes and health care. There are a lot of issues that come before us. Certainly Iraq is the premier issue as it relates to the international front, but the big issues at home are taxes and health care. The Conrad budget allows for Democrats and Republicans to come together on taxes, as was done in 1986 for a system that gave everybody the chance to get ahead.

I know the Presiding Officer, my friend from Ohio, has heard a lot about the whole topic of class warfare and the like. I think the Senator from Ohio hears the same thing I hear at home; that everybody ought to have the chance to get ahead. Everybody ought to have the chance to do it. We could do that with a tax reform program that is fair to all. This budget allows it, and it allows for Democrats and Republicans to come together on health care as well.

I urge my colleagues to support the budget. I commend Senator CONRAD and Senator GREGG.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

#### AMENDMENT NO. 525, AS MODIFIED

Mr. GREGG. Mr. President, I ask unanimous consent that the pending amendment, which I understand is the Ensign amendment—is that correct?

The PRESIDING OFFICER. That is correct.

Mr. GREGG. Be set aside so I can send up a modification that has been cleared by the other side relative to the Cornyn amendment, and I ask unanimous consent that the Cornyn amendment be modified.

Mr. CONRAD. Mr. President, reserving the right to object, have we seen this modification? Let me just reserve on that until I have confirmation.

Is this a Cornyn amendment which is being modified?

Mr. GREGG. Cornyn amendment, as modified.

Mr. CONRAD. That is fine.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 525), as modified, is as follows:

At the appropriate place insert the following:

On page 4, line 6, decrease the amount by \$2,047,000,000.

On page 4, line 7, decrease the amount by \$4,291,000,000.

On page 4, line 8, decrease the amount by \$6,949,000,000.

On page 4, line 9, decrease the amount by \$9,936,000,000.

On page 4, line 10, decrease the amount by \$13,270,000,000.

On page 4, line 15, decrease the amount by \$2,047,000,000.

On page 4, line 16, decrease the amount by \$4,291,000,000.

On page 4, line 17, decrease the amount by \$6,949,000,000.

On page 4, line 18, decrease the amount by \$9,936,000,000.

On page 4, line 19, decrease the amount by \$13,270,000,000.

On page 4, line 24, decrease the amount by \$2,047,000,000.

On page 4, line 25, decrease the amount by \$4,291,000,000.

On page 5, line 1, decrease the amount by \$6,949,000,000.

On page 5, line 2, decrease the amount by \$9,936,000,000.

On page 5, line 3, decrease the amount by \$13,270,000,000.

On page 5, line 7, decrease the amount by \$2,047,000,000.

On page 5, line 8, decrease the amount by \$6,339,000,000.

On page 5, line 9, decrease the amount by \$13,288,000,000.

On page 5, line 10, decrease the amount by \$23,224,000,000.

On page 5, line 11, decrease the amount by \$36,494,000,000.

On page 5, line 15, decrease the amount by \$2,047,000,000.

On page 5, line 16, decrease the amount by \$6,339,000,000.

On page 5, line 17, decrease the amount by \$13,288,000,000.

On page 5, line 18, decrease the amount by \$23,224,000,000.

On page 5, line 19, decrease the amount by \$36,494,000,000.

On page 19, line 12, decrease the amount by \$2,000,000,000.

On page 19, line 13, decrease the amount by \$2,000,000,000.

On page 19, line 16, decrease the amount by \$4,100,000,000.

On page 19, line 17, decrease the amount by \$4,100,000,000.

On page 19, line 20, decrease the amount by \$6,500,000,000.

On page 19, line 21, decrease the amount by \$6,500,000,000.

On page 19, line 24, decrease the amount by \$9,100,000,000.

On page 19, line 25, decrease the amount by \$9,100,000,000.

On page 20, line 3, decrease the amount by \$11,900,000,000.

On page 20, line 4, decrease the amount by \$11,900,000,000.

On page 25, line 12, decrease the amount by \$47,000,000.

On page 25, line 13, decrease the amount by \$47,000,000.

On page 25, line 16, decrease the amount by \$191,000,000.

On page 25, line 17, decrease the amount by \$191,000,000.

On page 25, line 20, decrease the amount by \$449,000,000.

On page 25, line 21, decrease the amount by \$449,000,000.

On page 25, line 24, decrease the amount by \$836,000,000.

On page 25, line 25, decrease the amount by \$836,000,000.

On page 26, line 3, decrease the amount by \$1,370,000,000.

On page 26, line 4, decrease the amount by \$1,370,000,000.

At the end of the bill, add the following:

#### TITLE IV—RECONCILIATION

#### SEC. 401. SPENDING RECONCILIATION INSTRUCTIONS.

In the Senate, by June 1, 2007, the Finance Committee shall report to the Senate changes in laws within its jurisdiction sufficient to reduce outlays by \$2,000,000,000 in 2008 and \$33,800,000,000 for the period of fiscal years 2008 through 2012.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, Senator ENSIGN had talked about his amendment, and I did not have a chance to, once again, respond. I would like to take that opportunity now, while we are waiting for Senator DORGAN. Perhaps Senator GREGG would want to respond to what I might say. Before we do that, maybe we should enter into an agreement with respect to the votes that will occur at 11:30.

So for that purpose, Mr. President, I ask unanimous consent that at 11:30 a.m., the Senate proceed to vote with respect to the following amendments in the order listed; that there be 2 minutes for debate before each vote, equally divided, and that after the first vote, the time for the votes be limited to 10 minutes; that no amendments be in order to any of the amendments covered under this agreement: the DeMint amendment No. 489, the Allard amendment No. 491, the Baucus amendment No. 504, and the Cornyn amendment No. 511.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### AMENDMENT NO. 472

Mr. CONRAD. Mr. President, let me just take a moment now to respond to Senator ENSIGN with respect to the amendment he has offered that purports to affect Part D premiums and have higher premiums for those Part D Program participants.

Let me just say, the basic concept, I am in sympathy with. The problem is, the budget resolution does not make these policy determinations. This is a determination which is made by the Finance Committee. That is the committee of jurisdiction. They are the ones who have the sole right to make these kinds of policy determinations. The Budget Committee, as much as I might want it to, does not have the authority to do that. Beyond that, the devil is in the details.

The notion you can charge higher premiums—certainly there is a way to do that, but the Senator has given us no indication of how it might be done. When the CMS came before the Finance Committee on this very issue—because this is part of the President's budget—they were asked how they would go about charging higher premiums under Part D when the premiums are not set by the Government, they are set by private drug plans.

As we all know, there are something like 1,500 Medicare drug plans. Those plans each have a separate premium they establish. So how is it that CMS is going to tell all these private drug plans they are to charge higher premiums to higher income people? Those private drug plans do not even know the income levels of the people who subscribe to their plans. So how is it, in a real-world situation, these plans would charge higher drug premiums?

Again, the Government does not set these premiums. The companies that

do set them do not have the information upon which to charge higher premiums to higher income people because they do not know what the income is of the people who subscribe to their plans.

Further, premiums are important price signals for beneficiaries in the Medicare Part D Program. So would we be setting multiple premiums for a single Part D plan? Wouldn't that add to the complexity of the program? This seems to dramatically complicate the market-based approach of Part D.

I might add, when the administration came before the Finance Committee—which is the committee of jurisdiction, which is the committee that has the authority to make these kinds of policy determinations—they had no answers to any of these questions. They just simply had not thought it through. That is one of the reasons why we leave these kinds of determinations to the committee of jurisdiction, because they have the expertise to make these determinations and to weigh the issue. The Budget Committee does not and does not have the authority to make these determinations.

Let me say my own belief is that the notion of income-relating Medicare benefits is going to have to be part of a longer term solution. But that is not going to be decided on any budget resolution. That is just a fact. All of the things Senator ENSIGN talked about will have zero effect on the Finance Committee. What will affect the Finance Committee is the number they are given of the resources that are available for Medicare.

The effect of the Cornyn amendment—and the effect of the Ensign amendment—will be to reduce the resources that are available to the Finance Committee for Medicare. What is that likely to mean? Well, it is very clear what it is likely to mean: reductions in reimbursement for hospitals, for nursing homes, for hospice care, for ambulance services. That is the real-world effect of the Cornyn amendment and the Ensign amendment.

I want to repeat that I got a letter from 43 Senators—11 of them Republicans—urging that the budget resolution not cut reimbursement to hospitals. I just remind them, if that is something they are serious about, then they are going to want to oppose the Cornyn amendment and the Ensign amendment because the real upshot of those amendments is to reduce funding to the Finance Committee for those very purposes.

Mr. President, Senator GREGG may like to take the remaining minutes here.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Yes, Mr. President. I thank the Senator.

Mr. President, if you are going to vote against the Ensign amendment, you are just simply saying millionaires in this country should not have to pay for their drug benefit under Medicare if

they are retired and have Medicare eligibility; and all millionaires who are retired and over a certain age have Medicare eligibility for drug benefits. It is that simple.

To say the Budget Committee should not address this issue has the practical effect of saying the Budget Committee should not address policy at the Federal level. The Budget Committee, of course, has a right to address this issue and should address it. In fact, it is the proper place to address it as the initial step. In fact, you could argue that if the Budget Committee does not address it, it will never get done because the protection that comes from reconciliation, which only the Budget Committee can give an authorizing committee—that is, the Finance Committee, the Armed Services Committee, or any other committee—derives from the Budget resolution, which is authored by the Budget Committee. You probably are not going to pass these types of changes without reconciliation protection. So that is a straw dog argument of the first order.

This Ensign amendment specifically is an attempt to straighten out what was clearly an incorrect decision when Part D was put in place. The Medicare trust fund is \$32 trillion out of whack. In other words, we know it is going to cost \$32 trillion—that is with a “t.”

Try to understand what that means—\$1 trillion. Nobody can understand \$1 trillion, but it is an amount of money that is staggering. All the taxes paid in America since our country became a government, since our country was created, amount to something like \$42 trillion. The entire net worth of America—all your cars, all your stocks, all the houses Americans own—represents something like \$50 trillion, or maybe it is not even that high—\$47 trillion.

So we have a liability, which we have no idea how we are going to pay for, of \$32 trillion. The interesting part—that is why I want to point this out again—is the drug benefit, when it was passed, aggravated the liability of the trust fund to the tune of \$8 trillion. So of that \$32 trillion—although this chart could be used to explain this—of that \$32 trillion, \$8 trillion of that unfunded liability was generated by the drug benefit. It shouldn't have been that high. One way it should have been addressed was that we should have had wealthy seniors, millionaire seniors, which is what the Ensign amendment does, paying a fair amount of the cost of that drug benefit. The Senator from North Dakota says: Well, that can't be done. Of course, it can be done. Of course, it can be done. There are all sorts of reports that are filed on CMS on the cost of reimbursement and how they are structuring these insurance plans, and there is no question but it can be done. More importantly, it should be done, as a matter of fairness, for working Americans who are carrying the burden of seniors.

I notice Senator DORGAN is here and he wants to talk, so I will reserve on that.

The point is pretty important. If you want to vote for working Americans to not have to subsidize millionaire Americans who are retired, you are going to want to vote for the Ensign amendment.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. The Senator from North Dakota, Senator DORGAN, is now recognized until 11:30.

Mr. DORGAN. Mr. President, some would believe, and perhaps should believe, that this budget issue is very complex, very difficult and is hard to resolve. I accept all that. But there ought to be some things all of us would agree are very easy to deal with. The slam-dunks, as it were; the issues that all of us ought to say: Enough, we are not going to put up with this on the revenue side.

Let me tell my colleagues the taxes I believe we ought to be getting that we are not getting. Should we increase them? Absolutely. Those are the taxes that would have been paid under normal circumstances but now are not being paid because companies have decided they want to run their income through a tax-haven country. They want to produce in China, sell in America, and run their income through the Cayman Islands.

What is the purpose of that? To avoid paying U.S. taxes. They want all the opportunities of being an American company but none of the responsibilities to pay the taxes to help this country run, to help this country do what it should do.

So let me go through some of the examples. First, let me show a picture of the Ugland House. An enterprising reporter named “David Evans” did some research. This picture shows a five-story building on Church Street in the Cayman Islands that is home to 12,748 corporations. Now, we have talked about that. I have spoken about it in previous months on the floor of the Senate. Why do I do that? Everyone understands that in this little building on a quiet street on the Cayman Islands, there aren't 12,748 companies. That is a legal fiction created by some lawyers to allow companies to use this address to avoid paying U.S. taxes. That is what is inside this white building: fictional addresses so companies can park income here and avoid paying taxes to the United States.

Should we shut that down? You bet your life we ought to shut it down—just like that. It ought not be controversial. Do we not believe that everybody ought to pay their fair share of taxes as a part of living in this great country? So that is one issue. That, by the way, is a current tax scam that exists and is robust. I could go through the names of companies that have many subsidiaries in tax-haven countries. I mentioned Halliburton the other day. They have 17 subsidiaries in the Cayman Islands, a country that has never imposed a corporate income tax. They also have two subsidiaries in

Liechtenstein, for God's sake. But it is not just that company. I could go through a whole list of companies that have dozens and dozens of subsidiaries they have created in tax-haven countries to avoid paying taxes in this country.

Let me give some other examples of what has been going on. This is Dortmund, Germany. This is a picture of a streetcar in Dortmund, Germany. It is interesting. Actually, an American company leased the streetcars in Dortmund, Germany. Why? Because an American company wants to run streetcars in Germany? No, not at all. These belong to city government in Germany. An American corporation leased them, and immediately leased them back to the German city, and then the company is able to claim large tax deductions that lower its tax burden in the United States. Here is what the city councilman, Manfred Jostes, said:

It's absolutely unbelievable. I still to this day can't believe that something like this works.

A German city councilman trying to think through how is it we can lease our streetcars to an American company, they lease them back, we get a premium and never lose the opportunity to use them. The only thing that is valuable to the American company is they don't have to pay taxes because they can claim large deductions relating to this streetcar system in Germany.

It is not just streetcars. How about American companies buying town halls? Here is a picture of a town hall in a German city that I can't even pronounce. That is a huge, old town hall owned by an American company. Why? Because they like town halls in Germany? No. Because they want to be able to claim large deductions in an abusive cross-border leasing transaction with a German city for the purpose of reducing their tax obligations in this country.

Here is a railroad in Belgium owned by an American company. Because they like to run trains in Belgium? No, no. It is about reducing their taxes in our country.

How about an American company buying a German sewer system. This one—Wachovia Bank has been pretty aggressive. They bought a German sewer system, and they reportedly get \$175 million in U.S. tax savings by owning a foreign sewer system. The city in Germany—Bochum, Germany, doesn't lose the use of its sewer system. The American corporation didn't buy a German sewer system because they wanted to use the sewer; they bought it because they wanted to lease it back to the German city so the U.S. company can depreciate it and reduce its tax burden to the U.S. Government. Sale and leaseback. Pretty unbelievable.

FleetBoston Financial and another investor bought Chicago's 911 emergency call system. Think of that. Chicago sets up a 911 emergency call sys-

tem, then sells it to two corporations. It is a city-owned system. The companies buy it, and lease it back to Chicago. Chicago still has it. It is a sale and leaseback transaction by which an American corporation can now own and lease back the 911 emergency call system in Chicago and be able to depreciate it to save money on their tax bill. It is unbelievable to me.

When are we going to put a stop to this? Well, the Finance Committee took a look at these sale and leasebacks and owning foreign sewer systems and they said: We will stop it as of this date, but everything else is OK. It is not OK with me.

It is not OK with me that we still have companies that decide they want to move their profits to a controlled offshore foreign subsidiary, despite the fact that the subsidiary doesn't do any real business there.

It is not OK with me that we still provide large tax breaks to U.S. companies that close down a manufacturing plant in this country, fire its American workers and move those good-paying jobs to countries like China. When U.S. companies close down a U.S. manufacturing plant such as Huffy bicycles or Radio Flyer little red wagons, fires its American workers and moves those good-paying jobs overseas, U.S. tax law actually gives companies like these a large tax break. This is a slap in the face of domestic companies that do not get this break. It is a slap in the face to hardworking Americans whose jobs are cut and moved overseas.

I have forced the U.S. Senate to vote to repeal this perverse tax break several times but it still remains in place. I will offer my proposal to eliminate this ill-advised tax subsidy again and again until it is gone.

So I have legislation in three areas that will shut these things down and shut them down for good. All of that, I understand, is able to be accomplished and has a fit in this budget proposal. Senator CONRAD, I believe, has in this budget proposal provided room for the three proposals I have offered, the kinds of proposals that will finally and irrevocably shut down this nonsense.

Now, we are short of money. The fact is we are short of revenue, so how are we going to get it? Are we going to go ask some people who go to work all day and take showers at night. You know, they get dirty and work hard at a construction site, come home and have to take a shower after work rather than before work. We are going to go back to those folks and say: You know what. Our Government is short of money. We would like you to pay some more in taxes. Or are we going to go to these companies who have decided they want to own a sewer system in Germany? They want to have a "fictional" address on Church Street in the Cayman Islands or they want to engage in transfer pricing.

Transfer pricing schemes, by the way, where companies have their own subsidiaries and buy and sell from

them and charge things such as \$50 for a tractor tire or \$18 for a toothbrush; dramatic overpricing on the one hand or underpricing on the other. They use this accounting scam to try to demonstrate they have earned no money in the United States and therefore owe no taxes in the United States when, in fact, they earned a lot of money and transfer-priced those profits out of our country. Another scheme. It is wholesale tax avoidance.

The question for this Senate ought to be now: Are we going to get the revenue that is owed to us from some of the largest enterprises? I have not named a lot of them. I could name a lot of them, and they should have the opportunity to be named so that their shareholders know what they are doing.

It wasn't long ago, by the way, when some of us came to the Senate floor and named the companies who decided they wanted to renounce their American citizenship. I was a part of that. The late Paul Wellstone was a part of that. Paul sat right over there at that desk at the end of that row and I remember it as if it were today, the speeches Paul would give about this issue.

The companies have decided: You know what. We want all the benefits of being an American. We were chartered here. We exist here. We appreciate being here, but we don't want the responsibility of paying taxes. That is the origin and the roots of some of this tax avoidance. But then, it went even further. There was a time when companies said: You know what. We appreciate being an American, but we can save a great deal of money if we renounce our American citizenship and move our citizenship to, let's say, the Bahamas. My thought was: You want to move your corporate citizenship to the Bahamas for the purpose of not paying American taxes; then when you get in trouble, why don't you call in the Bahamian Navy. My understanding is they have a force of 20 people. Perhaps I have understated it. But maybe then you ought to call the Bahamian military when you get in some trouble, when someone tries to expropriate your assets somewhere around the world.

I come to the floor today because I am flat sick and tired of these schemes: The hood ornament on excess here is the schemes by which town halls are now for lease or for sale, sewer systems are now for sale. Yes, action has been taken to shut some of that down prospectively. Yes, that is good. But we still have circumstances under which American corporations are owning these assets, depreciating the assets that clearly are government assets for one single purpose, and that is to avoid paying the taxes that they would otherwise owe to the United States of America.

So then who pays taxes? Well, there is the infamous woman who once said: Only the little people pay taxes. She

sort of sniffed: Only the little people pay taxes. Well, we know who does pay taxes. It is people who work, who get a W-2 form which says: Here is your income, here is your withholding, here is the obligation you have to the United States of America. No flexibility. You work, you earn an income, you pay taxes.

The word "tax" is not a dirty word. It is part of the price of a civilized society. We build roads. We operate schools. We provide for the defense of this Nation. We have a Center for Disease Control. We have the National Institutes of Health. We run Bethesda Hospital and Walter Reed for the veterans. We do a lot of things that are pretty wonderful, and we have built a pretty spectacular country through private sector and public sector initiatives. But in order to do that, we need a revenue base. Some of the biggest interests in this country have decided: We want to be a part of everything America has to offer, but we don't want to be a part of the revenue base. We want to find ways to own a foreign sewer system or run our income through a fictional address in the Cayman Islands. We want a large tax break for shutting down a U.S. manufacturing plant and moving those jobs overseas. We want to find a way to transfer price so that we are pricing safety pins at 100 times their value, or underpricing pianos, selling pianos for \$40. That sort of transfer pricing is unbelievable. That transfer pricing has allowed some corporations to scam the Federal Government and avoid paying the taxes they owe this country. So I came to the floor today only to say this: Part of the process of a budget is to make plans about spending. What is it we need to spend? What do we have to do to invest in our country's future to strengthen our country? Then also, what kind of revenue can we expect and who shall contribute that revenue? Who is responsible for paying taxes? It is not, as the socialite sniffed, "the little people"; it is a responsibility for all of us in this country to pay taxes. I think when we see what has been going on with tax avoidance on a massive scale—and I see those who might criticize Senator CONRAD for saying: Let's capture some of this in this budget, and they say: Well, that is not real—you bet your life it is real.

You bet your life it is real. This tax avoidance is large, and it is growing. We have a responsibility to say to those interests: Pay up. Be a part of this country. Being a part of this country is to make money in this great economy of ours, but also the responsibility to pay some taxes to this country as well.

As I indicated, I have three provisions that will be provided for as a result of the way this budget is structured. I intend to offer those as legislation in this coming year. I expect that ought to be a noncontroversial portion of the debate in this country. It ought to be the first baby step to do what is right.

I yield the floor.

AMENDMENT NO. 489

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate prior to a vote on amendment No. 489.

Who yields time?

The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, it is seldom in this Chamber that we have a chance to do something that is truly significant. This amendment about Social Security would allow us to do that. Both sides of the aisle, Republican and Democrat, for years have been saying we should not be spending Social Security on other things, and we should be saving it. But we have never done anything about it.

We have spent nearly \$2 trillion in Social Security money on other things and have not saved one penny. My amendment allows for Congress to open the door and pave the way to stop spending Social Security funds and to save the money. Senator CONRAD and others have talked about the importance of prefunding, or advance funding, our Social Security system. This amendment will open the door for us to do that. It does not prescribe how we will do it. It does not talk about how the funds will be invested. It says they will be taken off the table and saved.

We are not talking about ownership here, private accounts or the stock market. This is all open for future discussion. The point of the amendment is to open the door and do what we have talked about for years: stop spending Social Security on other things and save it for the retirees.

Mr. BYRD. Mr. President, I oppose Social Security privatization—unequivocally and without question. The language in the DeMint amendment, which would encourage the Finance Committee to report legislation that would embrace private investment accounts within Social Security, is something that I cannot support. Therefore, I oppose the DeMint amendment.

Mrs. FEINSTEIN. Mr. President, I oppose this amendment. There is no question that we must reform our entitlement programs and change the way our Nation's finances are managed.

With this in mind, I support the premise behind this amendment: the Social Security trust fund should not be used to help reduce the Federal budget deficit.

Hundreds of billions of dollars are being taken from Social Security each year just to help pay our bills. Last year, this figure approached \$200 billion.

However, this amendment has a fatal flaw. It leaves the door open for private Social Security accounts by providing participants with the option of "prefunding of at least some portion of future benefits."

In my view, this is unacceptable.

This body has already closed the door on the President's ill-conceived plan for private Social Security accounts.

The opposition to privatization is well-known:

Privatizing Social Security does nothing to extend the solvency of the program. Transition costs alone, over the first 20 years, would put our Nation in greater debt by as much as \$4.9 trillion.

Creating private accounts would mean benefit cuts for retirees, by as much as 40 percent.

Half of all American workers today have no pension or retirement plan from their employers. That means Social Security is their only source of income.

It is critical that we protect this safety net.

We must hold the line on spending, but this has to be done in conjunction with a more responsible approach to tax policy.

The President's tax cuts have already cost more than \$1 trillion and those enacted will be more than \$3 trillion over the next decade.

When you combine the cost of the tax cuts with spending for the military operations in Afghanistan, Iraq, and the global war on terror—currently totaling \$510 billion—the inevitable result is that our Federal budget is squeezed, while our crushing debt grows.

As we debate this budget resolution, I urge my colleagues to be mindful of the long-term impact of our spending decisions.

The looming crisis with our entitlement programs is clear. We must stop raiding the Social Security trust fund to pay our bills. But I cannot support this particular amendment which opens the door to privatizing Social Security.

I am firmly committed to opposing any Social Security reform proposals which leave the possibility of private accounts on the table. And this amendment would do just that. So I must voice my opposition, and I ask that my colleagues join me in rejecting this proposal.

The PRESIDING OFFICER. Who yields time?

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, the amendment sounds good. It is nice, bland language to provide participants with the benefits of savings and investment. But make no mistake about it, this is a stalking-horse for Social Security. That is what this is all about.

The Senator offered virtually the same amendment last year, which had the same purpose, and it was defeated 46 to 53, I think. This is privatization of Social Security. The American people rejected that; they rejected private accounts. It would cause a huge increase in the Federal deficit, a massive transfer. This amendment is disguised but would do just that.

It looks good on the surface, but this is an amendment to privatize Social Security, create private accounts for Social Security. Senators should not be fooled. Again, Senators rejected this

very same amendment last year by a large vote of 46 to 53. It should be rejected this time as well.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Thank you, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 489.

Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 89 Leg.]

#### YEAS—45

Alexander	DeMint	Lugar
Allard	Dole	Martinez
Bennett	Domenici	McCaskill
Bond	Ensign	McConnell
Brownback	Enzi	Murkowski
Bunning	Graham	Roberts
Burr	Grassley	Sessions
Chambliss	Gregg	Shelby
Coburn	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Corker	Inhofe	Thomas
Cornyn	Isakson	Thune
Craig	Kyl	Vitter
Crapo	Lott	Warner

#### NAYS—52

Akaka	Feingold	Obama
Baucus	Harkin	Pryor
Bayh	Inouye	Reed
Bingaman	Kennedy	Reid
Boxer	Kerry	Rockefeller
Brown	Klobuchar	Salazar
Byrd	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Smith
Carper	Leahy	Snowe
Casey	Levin	Stabenow
Clinton	Lieberman	Tester
Collins	Lincoln	Voinovich
Conrad	Menendez	Webb
Dodd	Mikulski	Whitehouse
Dorgan	Murray	Wyden
Durbin	Nelson (FL)	
Feingold	Nelson (NE)	

#### NOT VOTING—3

Biden	Johnson	McCain
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The amendment (No. 489) was rejected.

Mrs. MURRAY. I move to reconsider the vote.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 491

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate prior to a vote on the Allard amendment No. 491.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield the time to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, the budget spends \$88 billion over 5 years on ineffective programs and raises taxes by \$900 billion to do so. My amendment reduces spending by 25 percent on programs rated ineffective by OMB's program assessment rating tool. PART has evaluated almost 1,000 programs accounting for 96 percent of all Federal spending. Only 26 are rated ineffective in discretionary spending.

Chairman CONRAD will say the budget resolution cannot tell appropriators how to implement the savings. My amendment simply allows the appropriators, with a great deal of flexibility, to find those savings that are proven to exist. It also tells agencies we expect results from programs we fund.

If my colleagues vote for this amendment, we will save the taxpayers \$18 billion over 5 years and pay down the Federal debt by \$18 billion. I believe if we cannot trim \$4 billion out of a \$2.9 trillion budget on ineffective programs, we cannot honestly tell taxpayers we are serious about fiscal responsibility.

I urge my colleagues to support the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator's time has expired.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, first, the budget resolution does not make these individual policy determinations. The effect of this amendment will simply be to cut domestic discretionary spending \$18 billion. Understand the programs that have been identified in the PART program are results not proven. If this did apply as the Senator suggests, here are programs affected: Border Patrol, Coast Guard search and rescue, high-intensity drug trafficking areas, LIHEAP, rural education, child abuse prevention, and treatment.

If there is a problem in those programs, they ought to be fixed. We ought not to be cutting Border Patrol, Coast Guard search and rescue, high-intensity drug trafficking areas, LIHEAP, rural education, and the rest.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 491 offered by the Senator from Colorado, Mr. ALLARD.

Mr. GREGG. Mr. President, I ask unanimous consent that this be a 10-minute vote, and the following votes be 10-minute votes.

The PRESIDING OFFICER. That order has been granted.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 64, as follows:

[Rollcall Vote No. 90 Leg.]

#### YEAS—33

Allard	DeMint	Isakson
Brownback	Dole	Kyl
Bunning	Ensign	Lott
Burr	Enzi	Martinez
Chambliss	Graham	McConnell
Coburn	Grassley	Sessions
Cochran	Gregg	Shelby
Corker	Hagel	Sununu
Cornyn	Hatch	Thomas
Craig	Hutchison	Thune
Crapo	Inhofe	Vitter

#### NAYS—64

Akaka	Feingold	Obama
Alexander	Feinstein	Pryor
Baucus	Harkin	Reed
Bayh	Inouye	Reid
Bennett	Kennedy	Roberts
Bingaman	Kerry	Rockefeller
Bond	Klobuchar	Salazar
Boxer	Kohl	Sanders
Brown	Landrieu	Schumer
Byrd	Lautenberg	Smith
Cantwell	Leahy	Snowe
Cardin	Levin	Specter
Carper	Lieberman	Stabenow
Casey	Lincoln	Stevens
Clinton	Lugar	Tester
Coleman	McCaskill	Voinovich
Collins	Menendez	Warner
Conrad	Mikulski	Webb
Dodd	Murkowski	Whitehouse
Domenici	Murray	Wyden
Dorgan	Nelson (FL)	
Durbin	Nelson (NE)	

#### NOT VOTING—3

Biden	Johnson	McCain
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The amendment (No. 491) was rejected.

Mr. SPECTER. Mr. President, I voted against the Allard amendment because I am not prepared to accept the blanket assessment by OMB as to which programs are effective or not effective. In addition, I don't think it is sensible to eliminate only 25 percent of the ineffective programs. In my judgment, Congress should make the assessment as to which programs are effective or ineffective and then Congress should act to eliminate all of the ineffective programs.

#### AMENDMENT NO. 504, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes of debate prior to a vote in relation to the Baucus amendment, No. 504. Who yields time?

The Senator from Montana.

Mr. BAUCUS. Mr. President, this request has been cleared with the two managers and the ranking members of the Finance Committee. I ask unanimous consent to modify my amendment No. 504 with the text I send to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment is as follows:

On page 48, line 19, before "The" insert the following:

(a) PRIORITY.—The Senate establishes the following priorities and makes the following findings:



(1) The Senate shall make the enactment of legislation to reauthorize the State Children's Health Insurance Program (SCHIP) a top priority for the remainder of fiscal year 2007, during the first session of the 110th Congress.

(2) Extending health care coverage to the Nation's vulnerable uninsured children is an urgent priority for the Senate.

(3) SCHIP has proven itself a successful program for covering previously uninsured children.

(4) More than 6 million children are enrolled in this landmark program, which has enjoyed broad bipartisan support in Congress, among our Nation's governors, and within state and local governments.

(5) SCHIP reduces the percentage of children with unmet health care needs.

(6) Since SCHIP was created, enormous progress has been made in reducing disparities in children's coverage rates.

(7) Uninsured children who gain coverage through SCHIP receive more preventive care and their parents report better access to providers and improved communications with their children's doctors.

(8) Congress has a responsibility to reauthorize SCHIP before the expiration of its current authorization.

(b) RESERVE FUND.—

Mr. BAUCUS. Mr. President, this amendment basically confirms our commitment to reauthorize the Children's Health Insurance Program by September 30. We have to get this authorized quickly. It is the statement of the Senate that we will do so; otherwise, we lose a large number of dollars. We lose about \$25 billion from the budget baseline if we do not get this done. It will wreak financial havoc on States if we do not get this done.

The program has reduced the rate of uninsured children by one-fifth. It is a great opportunity, frankly, for everyone in this body to say "yes" to kids. Yes, we are going to make sure our kids are covered with insurance. We are going to expand the Children's Health Insurance Program. I urge all Senators to vote yes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, we support the amendment on our side. We will be happy to do it by a voice vote if the Senator wants to, but I suspect we are going to have a rollcall vote?

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, we can voice vote this as far as I am concerned. There was a request on my side. I don't know if there is anymore. I don't see anybody waving his hand or her hand, so it is fine with me.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment (No. 504), as modified, was agreed to.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, the Senate just voted on an amendment

that makes a good first step to putting kids first in SCHIP. However, it is all well and good to say we are putting kids first. But the amendment we just voted on is not worth the paper it is printed on if the Senate does not take the next step and back up these words with policy.

The Cornyn amendment represents actual kids-first policy. I ask Senators to support the needed next step to putting kids first. Support the Cornyn amendment.

AMENDMENT NO. 511

Mr. GREGG. I understand the next amendment will be that of Senator CORNYN, dealing with the SCHIP issue. Is that correct?

The PRESIDING OFFICER. That is correct, amendment No. 511. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, my amendment establishes a deficit-neutral reserve fund and the finance committee to report a bill that reauthorizes SCHIP, a program that covers kids first. It emphasizes helping low-income kids, increases State flexibility, and eliminates waste, fraud, and abuse. This vote is the Senate's opportunity to make sure the original intent of the SCHIP program remains intact. This is about helping low-income kids first.

I yield the floor.

Mr. SPECTER. Mr. President, I seek recognition to outline my opposition to the Cornyn amendment, Senate amendment No. 511 to the fiscal year 2008 budget resolution. While I support reducing the cost of health care, I have concerns with reducing health care insurance coverage for children in low-income families.

The Cornyn amendment sought to ensure that only children in families under 200 percent of Federal poverty level—\$27,380 for a single parent or \$41,300 for a family of four—should receive State Children's Health Insurance Program, SCHIP, health coverage. This would have decreased the recent SCHIP change to Pennsylvania's Cover All Children program. The Pennsylvania Cover All Children program, which was approved by the Centers for Medicare and Medicaid Services, allows SCHIP funds to be used to provide insurance to children in families below 300 percent of the Federal poverty level—\$41,070 for a single parent or \$61,950 for a family of four.

The authorization for SCHIP is scheduled to expire this year. I look forward to working with my colleagues to reauthorize and improve this important program.

Mr. WHITEHOUSE. Mr. President, I wish to speak in support of the SCHIP amendment offered by my colleagues, Senators BAUCUS and ROCKEFELLER, and to respectfully oppose the amendment of my colleague Senator CORNYN. I also want to praise my senior Senator, JACK REED, and thank him for his tireless commitment to providing vital health care coverage to the children of Rhode Island for so many years.

Our State of Rhode Island has one of the lowest rates of uninsured adults

and children in the Nation. This fact is both encouraging and troubling. It is encouraging because insured children are more likely to receive medical care for common conditions like asthma and ear infections. It is encouraging because insured children have higher school attendance rates and higher academic achievement. It is encouraging because insured individuals are more likely to receive preventive care like mammograms and other cancer screenings.

But Rhode Island's uninsured rates trouble me because, even as one of the most well-insured States in the Nation, my State is still home to nearly 120,000 uninsured Americans. And 20,000 of those are children. Even as a leader in insuring children and adults in this Nation, we are still far from where we need to be, and we are going in the wrong direction. Rhode Island witnessed a 4.2-percent increase in the number of uninsured from 2000 to 2004, coupled with a 7.3-percent drop in those covered by employer-sponsored plans.

Senator CORNYN's amendment proposes to limit the SCHIP program to children under 200 percent of the Federal poverty line. In Rhode Island, that would have meant that almost 2,700 children would not have been able to access health insurance using SCHIP funds during fiscal year 2006. And this number does not even include children under the age of 8 because Rhode Island has covered those children through its Medicaid Program up to 250 percent of poverty.

For my colleagues from larger States, 2,700 might not sound like that many children. But the Cornyn amendment would potentially result in a 7.5-percent increase in the uninsured rate for children in our State. This is unacceptable. And it is particularly unacceptable in light of the fact that 10.1 percent of Rhode Island children under 250 percent of poverty are eligible but not enrolled in Medicaid or SCHIP.

I also oppose the Cornyn amendment because I do not believe that we should use SCHIP reauthorization as a vehicle to limit coverage of parents. First, covering parents is one of the most effective ways to cover children. When States cover parents, children participate in the Medicaid Program at higher rates, they have more contact with medical professionals, and receive more preventive care. Second, kicking parents off SCHIP only increases the number of uninsured individuals in our States, and forces those individuals to seek coverage in more expensive settings like hospital emergency rooms. Lastly, the Bush administration has repeatedly approved waivers to expand insurance to parents of children covered under State Medicaid and SCHIP programs. Covering parents is a value shared on both sides of the aisle.

As we move forward with this budget, and move forward with the ongoing health care debate, we should not be looking for ways to limit the coverage that States can offer their residents,

but ways to expand coverage to new and wider populations. For savings, we should be looking at reforms that improve quality and reduce cost, not throwing kids off health care programs. SCHIP was created in an effort to provide health insurance coverage to vulnerable children. In the spirit of this program, reauthorization should provide us with an opportunity to expand the tools States can use to cover the uninsured, not as an opportunity to hurt those Americans who need help the most.

I want to make a particular point to thank Chairman CONRAD and his staff for their superb work throughout this budget process, and for the chairman's continued support of children's health insurance programs.

The PRESIDING OFFICER. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, we voted to affirm our commitment to the program. The amendment offered by the Senator from Texas undermines the current program. Many Senators want to expand the Children's Health Insurance Program. This undermines it. It reduces the current program and wreaks havoc with the States. They will lose their flexibility that they currently have in administering the program. It puts a huge financial burden also on States that otherwise want to provide resources for the kids in their States.

I urge strongly we do not adopt the Cornyn amendment because it undermines the current program. It is a step backward, not forward.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CONRAD. Mr. President, I ask for the yeas and nays

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 59, as follows:

[Rollcall Vote No. 91 Leg.]

#### YEAS—38

Alexander	Cornyn	Hatch
Allard	Craig	Hutchison
Bennett	Crapo	Inhofe
Bond	DeMint	Isakson
Brownback	Dole	Kyl
Bunning	Ensign	Lott
Burr	Enzi	Martinez
Chambliss	Graham	McConnell
Coburn	Grassley	Roberts
Cochran	Gregg	Sessions
Corker	Hagel	

Shelby  
Thomas

Thune  
Vitter

Voinovich  
Warner

#### NAYS—59

Akaka	Feinstein	Nelson (NE)
Baucus	Harkin	Obama
Bayh	Inouye	Pryor
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Smith
Casey	Levin	Snowe
Clinton	Lieberman	Specter
Coleman	Lincoln	Stabenow
Collins	Lugar	Stevens
Conrad	McCaskill	Sununu
Dodd	Menendez	Tester
Domenici	Mikulski	Webb
Dorgan	Murkowski	Whitehouse
Durbin	Murray	Wyden
Feingold	Nelson (FL)	

#### NOT VOTING—3

Biden Johnson McCain

The amendment (No. 511) was rejected.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, there has been some confusion as to how many votes we are going to have during this period of time. There will be one more recorded vote. I think in fairness to some people on both sides of the aisle, we will make it a 15-minute vote rather than a 10-minute vote, because some people left thinking that was the last vote.

#### AMENDMENT NO. 525, AS MODIFIED

The PRESIDING OFFICER. The Senator from Nevada.

Mr. CORNYN. Mr. President, as the Budget chairman has said repeatedly, this does not direct the Finance Committee how to do this or to consider specific proposals. But I do believe the reforms the President has put on the table would be a good place to start looking. We know a fiscal tsunami is coming. We all talk about the wall of debt, but now is the time to act by passing this amendment. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Without objection, amendment 525 will be the pending question.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, this amendment should be opposed very simply because the savings, the \$34 billion the Senator from Texas prescribes, could not be used as offsets to help accommodate other programs. Let's take SCHIP, for example. Because the way the Senator's amendment is written, as reconciliation instructions, the \$34 billion could not be offset. That would be straight deficit reduction.

We are going to need, frankly, some wiggle room in Medicare programs to find revenue to pay for CHIP and for other Medicare adjustments. It makes no sense to straight cut \$34 billion out of Medicare alone, in itself a deep cut,

without some way of shoring up some of the needs we are going to have, especially SCHIP. I strongly oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 525, as modified. The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 23, nays 74, as follows:

[Rollcall Vote No. 92 Leg.]

#### YEAS—23

Alexander	Cornyn	Hatch
Allard	DeMint	Inhofe
Bond	Dole	Lott
Bunning	Ensign	Martinez
Burr	Enzi	McConnell
Coburn	Graham	Sununu
Cochran	Gregg	Vitter
Corker	Hagel	

#### NAYS—74

Akaka	Feinstein	Obama
Baucus	Grassley	Pryor
Bayh	Harkin	Reed
Bennett	Hutchison	Reid
Bingaman	Inouye	Roberts
Boxer	Isakson	Rockefeller
Brown	Kennedy	Salazar
Brownback	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Sessions
Cardin	Kyl	Shelby
Carper	Landrieu	Smith
Casey	Lautenberg	Snowe
Chambliss	Leahy	Specter
Clinton	Levin	Stabenow
Coleman	Lieberman	Stevens
Collins	Lincoln	Tester
Conrad	Lugar	Thomas
Craig	McCaskill	Thune
Crapo	Menendez	Voinovich
Dodd	Mikulski	Warner
Domenici	Murkowski	Webb
Dorgan	Murray	Whitehouse
Durbin	Nelson (FL)	Wyden
Feingold	Nelson (NE)	

#### NOT VOTING—3

Biden Johnson McCain

The amendment (No. 525), as modified, was rejected.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, did we move to reconsider?

The PRESIDING OFFICER. We did not.

Mr. CONRAD. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, have we reconsidered and moved to lay on the table all of the votes this morning?

The PRESIDING OFFICER. There is one—

Mr. CONRAD. Let's have a blanket move to reconsider and move to lay on the table of the votes for this morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I ask unanimous consent that the Sanders amendment be considered from now until 1:30; that then Senator ENZI be recognized for an amendment until 2 o'clock; that Senator CARPER be recognized at 2 o'clock; that at 2:15, Senator COLEMAN be recognized—

Mr. GREGG. For an amendment.

Mr. CONRAD. For an amendment; that at 2:45, Senator LINCOLN be recognized for an amendment; and that at 3:15, Senator KYL be recognized for an hour equally divided on his amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. Further, as part of that unanimous consent, I ask unanimous consent that the Kyl amendment be voted on before 11 o'clock tomorrow, at a time to be determined by the two leaders; that there be, before the Kyl amendment, 6 minutes evenly divided; that there be a side-by-side amendment reserved on the Democratic side with the Kyl amendment, and that the same rule pertain that there be 6 minutes equally divided.

Mr. GREGG. Further, if the Senator will yield?

Mr. CONRAD. I am happy to yield to my colleague.

Mr. GREGG. That there be side-by-sides reserved for all amendments that are offered in this group, and that the initial amendment be the first amendment voted on.

Mr. CONRAD. Let me just understand that final point.

Mr. GREGG. So the offered amendment would be the first amendment voted on in the side-by-sides.

Mr. CONRAD. That the Sanders amendment would be the first amendment; is that what the Senator is saying?

Mr. GREGG. No. If there is a side-by-side, it would be the understanding that the initial amendment, the underlying amendment, would be the first one voted on.

Mr. CONRAD. No, that would not be typically the order.

Mr. GREGG. It would be an amendment like a second degree.

Mr. CONRAD. The second degree would be voted on first. So our amendment would be, in effect, the second degree, and so in the regular order it would be voted on first.

Mr. GREGG. OK. But side-by-sides reserved for all the amendments.

Mr. CONRAD. Yes, side-by-sides reserved for all the amendments. And votes would be on or in relationship to the subjects that we have identified here.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from North Dakota.

#### AMENDMENT NO. 502

Mr. CONRAD. Mr. President, I would like to now take up Grassley amendment No. 502 in regard to the Smithsonian. We have agreement from Senator

GRASSLEY and others to take that amendment on a voice vote.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is the pending question.

Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 502) was agreed to.

Mr. CONRAD. Mr. President, I thank the Chair.

Mr. President, if the Presiding Officer could read back to me the final timing for the unanimous consent agreement we have just entered into—the GOP amendment, which is the Kyl amendment, would be offered at 3:15 this afternoon, and that would be an hour equally divided, and that would leave us at 4:15?

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. Mr. President, I ask my colleague if we could then agree for 10 minutes equally divided on the Bayh amendment.

Mr. GREGG. Mr. President, we have not seen the Bayh amendment.

Mr. CONRAD. We will get a copy, and perhaps we can work that out.

Mr. President, I yield to Senator SANDERS.

The PRESIDING OFFICER. The Senator from Vermont.

#### AMENDMENT NO. 545

Mr. SANDERS. Mr. President, I send an amendment to the desk which has been shared with the other side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, and Ms. MIKULSKI, proposes an amendment numbered 545.

The amendment is as follows:

(Purpose: To restore the top marginal tax rate to pre-2001 levels on taxable income in excess of \$1 million and use the increased revenue to increase funding for the Individuals with Disabilities Education Act)

On page 3, line 11, increase the amount by \$10,300,000,000.

On page 3, line 12, increase the amount by \$14,600,000,000.

On page 3, line 13, increase the amount by \$14,800,000,000.

On page 3, line 14, increase the amount by \$4,500,000,000.

On page 3, line 20, increase the amount by \$10,300,000,000.

On page 3, line 21, increase the amount by \$14,600,000,000.

On page 3, line 22, increase the amount by \$14,800,000,000.

On page 3, line 23, increase the amount by \$4,500,000,000.

On page 4, line 6, increase the amount by \$10,300,000,000.

On page 4, line 7, increase the amount by \$14,600,000,000.

On page 4, line 8, increase the amount by \$14,800,000,000.

On page 4, line 9, increase the amount by \$4,500,000,000.

On page 4, line 15, increase the amount by \$10,300,000,000.

On page 4, line 16, increase the amount by \$14,600,000,000.

On page 4, line 17, increase the amount by \$14,800,000,000.

On page 4, line 18, increase the amount by \$4,500,000,000.

On page 10, line 9, increase the amount by \$10,300,000,000.

On page 10, line 10, increase the amount by \$10,300,000,000.

On page 10, line 13, increase the amount by \$14,600,000,000.

On page 10, line 14, increase the amount by \$14,600,000,000.

On page 10, line 17, increase the amount by \$14,800,000,000.

On page 10, line 18, increase the amount by \$14,800,000,000.

On page 10, line 21, increase the amount by \$4,500,000,000.

On page 10, line 22, increase the amount by \$4,500,000,000.

Mr. SANDERS. Mr. President, this amendment is being cosponsored by Senator MIKULSKI of Maryland. This amendment is about keeping the promises the Federal Government made to the people of our country 32 years ago. It is about keeping our word to the children of this country, especially those with disabilities. It is about keeping our word to the property tax payers of this country, whose property taxes in Vermont and throughout this country are going up and up and up.

When Congress passed the Individuals with Disabilities Act in 1975, under the leadership of Senator TOM HARKIN, that legislation said the Government would provide up to 40 percent—40 percent—of the national average per-pupil expenditure for special education. Unfortunately, however, the Federal Government has not kept its word. Today, its contribution stands at barely 17 percent. The promise was 40 percent; the reality is 17 percent.

In other words, the Federal Government passed legislation doing the right thing with regard to our children in 1975, but it has not followed through in terms of the kind of funding it promised, and school districts all over this country and children all over this country are suffering from that lack of action.

When Members of Congress on both sides of the aisle talk about unfunded mandates, the inadequate funding for special education is the poster child of that problem. We told school districts we would fund special education at 40 percent, and we are funding it at 17 percent. That is wrong. That speaks poorly of Congress.

In Vermont, and I suspect all over this country, school districts are demanding we rectify that problem, that we keep the promise made so many years ago.

When the Federal Government does not keep its word, school districts in my State, school districts in the Presiding Officer's State and throughout this country are forced to do one of two things: either they do not provide the quality of special education care the special needs kids require—and that is wrong—or else their limited budgets require them to cut back on other educational programs in order to fund the expensive needs of special education.

kids. So what ends up happening is we take money from second languages, we take money from athletics, we take money from arts, and we put it into special education, and all of the children suffer as a result of that.

The third option facing school districts—which certainly is taking place in Vermont, and I expect all over this country—is that school districts are forced to ask for higher and higher property taxes. Those property taxes are becoming so high in areas of this country that people who have lived in their homes for their entire lives are now being forced to leave their homes.

The property tax is a regressive form of taxation. It hits working families very hard and unfairly. It hits senior citizens unfairly. More and more communities around this country are forced to raise property taxes, which is putting an increased burden on middle-class families.

The amendment I am offering, which is cosponsored by Senator MIKULSKI of Maryland, is a simple and straightforward amendment. At a time when the wealthiest people in this country are becoming wealthier, at a time when the wealthiest 1 percent have not had it so good since the 1920s, at a time when property taxes on the middle class are soaring all over this country, at a time when school districts are being forced to spend more and more on special education, this amendment increases funding for special education by \$44.2 billion over the next 5 years.

It finally begins to do what this Congress should have done years and years ago. It adequately funds special education. It begins to move away from the unfunded mandate that so many communities around our country are suffering from.

This amendment raises the \$44.2 billion by rescinding the 2001 income tax cuts that were given to millionaires. In other words, it would restore the top income tax rate to 39.6 percent on taxable income exceeding \$1 million per year.

This amendment would only apply to millionaires. Those are the only people who would be asked to pay more because we would be rescinding the 2001 income tax reductions that President Bush and the Congress gave to them.

While we ask the wealthiest people in this country to pay a little bit more, what we would be doing is lowering property taxes for the middle class all over this country and improving the quality of education that our children receive.

By using this revenue for special education, as this amendment does, the Federal Government could begin to live up to its 40 percent commitment in fiscal year 2009. Not only would we be providing a much needed boost for children with disabilities, we would also be providing property tax relief to so many families throughout this country who are in desperate need of that relief.

The bottom line of this amendment is pretty simple. It has a lot to do

about which side we consider ourselves to be on. We hear a lot of rhetoric in the Congress about the importance of education. The Presiding Officer understands the importance of education. I understand the importance of education. I suspect every Member of the Senate understands the need to improve the quality of education in this country. This is an amendment about improving education for all of our children.

We hear a lot of discussion in the Senate and the Congress about the growth of special education needs among our kids—whether it is autism, ADD, or other disorders. This is an amendment which addresses in a very serious way the needs of special education.

We hear a lot about unfunded mandates and the burden of higher and higher property taxes on working families all over this country. This amendment, if passed, takes a giant step forward in rectifying this unfunded mandate and lowering property taxes. Mostly, though, this amendment is about Congress keeping its word, keeping the promise it made so many years ago. We made a promise to school districts all over this country that if they mainstreamed kids into public schools, Congress would provide 40 percent of the cost. We have not kept that promise. We have given hundreds of billions of dollars in tax breaks to millionaires and billionaires, but we have not reached out to school districts to help them with the cost of special education, the result being higher and higher property taxes. The time is long overdue for the Congress to keep the promises it made with regard to special education, and this amendment does just that.

Mr. President, I yield the floor.

Mr. GREGG. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from New Hampshire has 12 minutes. The Senator from Vermont has 2 minutes.

Mr. GREGG. Mr. President, the amendment of the Senator from Vermont, the Senator from across the river, as we say in New Hampshire, a Senator from the State where all our bad weather comes from, actually—the sunshine comes from New Hampshire—this amendment raises taxes by something like \$44 billion. The purpose of it is to spend that money on special education.

Special education is an important program. In fact, it is so important that if you look at the priorities this administration has put in place in the education accounts since it came into office, it has increased special education funding by I think a factor that is three times greater—I believe that is the number—than the Clinton administration increased special education funding. This administration, in the first year in office, jumped special education by \$1 billion. The next year, it jumped special education funding by

another \$1 billion, and so on and so on. The increase in special education funding under this administration has been the largest increase of any administration, both percentage-wise and in dollars, over its term.

But to raise taxes \$44 billion is a pretty big tax increase. You can throw out the word “millionaire.” What we are talking about here are small businesspeople. Eighty-three percent of the people who would be hit by the top rate are small businesspeople. It is all rates.

He is talking about repealing the President's tax cuts that have generated so much economic activity around this country and have created a revenue stream into this Government which exceeds the historical norm. In other words, even though it is counterintuitive to some folks, and especially to some of our editorial boards, such as The New York Times, we have actually seen an increase, a very significant increase in revenues by reducing the tax rates in this country so they are fair, so that people are willing to go out and take risks with their dollars, be entrepreneurial and, as a result, create jobs and economic activity, which is translated into income for the Federal Government.

In fact, in the last 3 years, we have received more income, larger increases in income in Federal revenue than at any time in our history, huge jumps in income, and we are now receiving more income as a Federal Government than is the historic norm—18.5 percent of gross national product in income to the Federal Government. The norm is usually 18.2 percent.

In addition, these tax rates which were put in place which are repealed under this proposal have created a more aggressive tax system. During the Clinton years, the top 20 percent of wage-earners—of income tax payers in this country paid about 81 percent of the Federal taxes. Today, that same top 20 percent—they are not the same people, because the genius of our society is that people go in and out of that group depending on how capable they are. Some people make money and get in; some people lose money and go out. But that same group, that top 20 percent, is paying almost 85 percent of the total income tax burden. So it is more progressive at the top end than it was during the Clinton years.

Even though the tax rates may be lower, the generation of income tax—people who are paying it—is more progressive, and at the lower end, the bottom 40 percent of the people who pay income taxes or who are subject to income tax in this country—they don't actually pay the money; they get money back from the earned-income tax credit—that group of individuals, the 40 percent there, is getting twice as much back under the earned-income tax credit as they did in the Clinton years. So at the top, you have people paying more. At the bottom, you have people getting more back. That is

called progressivity. So we are getting more revenue. We are getting historic highs in revenue. We are beyond the traditional amount we get in revenue, and we have a more progressive tax system.

What is the Senator from Vermont suggesting? Increase taxes by \$44 billion.

Well, I have referred to this budget from the other side of the aisle as tax-and-spend. Very simply, it is a tax-and-spend budget. It adds new spending. It adds \$900 billion in new taxes. It increases the debt by \$2.2 trillion. It does nothing to control spending, either on the discretionary side or on the mandatory side.

If you pass this amendment, I suppose you just supersized it in the tax size. You can go into McDonald's and you can get a regular Coke. This is sort of a "regular" Democratic tax-and-spend bill. There are a lot of new taxes—\$900 billion—but that is sort of out of the mainstream of the party. But the Senator from Vermont has decided we are going to "supersize" this tax increase to \$44 billion. So, obviously, we oppose the amendment.

This concept of expanding funding to IDEA is a good concept, but it should come within the ordering of priorities. It shouldn't come by a dramatic tax increase. In fact, this President has shown he is going to reorder priorities to accomplish that during his term in office.

Mr. President, I reserve the remainder of our time at this point.

Mr. SANDERS. Mr. President, I always enjoy dialoguing with my neighbor from New Hampshire. Let me make just a few points. I think he understands, because if my son who lives in Claremont, NH, is accurate, what he is telling me is what Vermonters are telling me—that property taxes in New Hampshire and in Vermont and all over this country are soaring.

My friend from New Hampshire says the President and Congress are addressing special education needs, more money is going into it. But the reality is that for the last 3 years, the percentage of Federal contributions for special education has gone down. They were at a high of 18 percent. They are moving downward. They are now at 17 percent.

My friend can talk about raising taxes, and let me concede that he is right. We are raising taxes on the upper three-tenths of 1 percent because 99.7 percent of the American people would not see any increase in Federal taxes as a result of this amendment. Tens of millions of American families would see a reduction in their property taxes.

I believe that at a time when the wealthiest 1 percent have never had it so good, when we are seeing that, according to Forbes magazine, the collective net worth of the wealthiest 400 Americans—400—increased by \$120 billion last year to \$1.25 trillion, it is time for this Congress to start worrying about middle-class families that can't

afford higher and higher property taxes, about kids with disabilities who deserve quality education, about all of our children who deserve an education, and not worry about the upper three-tenths of 1 percent.

If my friend from New Hampshire says I am raising taxes on the upper three-tenths of 1 percent, people who are millionaires and billionaires, I concede that point. I am. That is the right thing to do.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, at this point, I believe Senator ENZI is ready to go with his amendment. Rather than tie him up and since he was also the chairman of the HELP Committee, he may have some thoughts on this issue of how we are doing on special education. But in any event, so he can get started, I yield the remaining time so Senator ENZI can go forward.

Mr. CONRAD. Mr. President, before the Senator departs, I wish to again thank him for his unfailing courtesy as we work through this budget resolution. I appreciate very much all of the constructive help he has provided as we have tried to get this done. I thank him very much.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

AMENDMENT NO. 497

Mr. ENZI. Mr. President, I call up Senate amendment No. 497.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] proposes an amendment numbered 497.

Mr. ENZI. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a 60 vote point of order for legislation that creates unfunded mandates on small business concerns)

At the end of title II, insert the following:

**SEC. 2. RESTRICTIONS ON PRIVATE SECTOR MANDATES.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would increase the direct costs of private sector mandates on small business concerns (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632)) by an amount that exceeds the threshold provided in section 424(b)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(b)(1)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

Mr. ENZI. Mr. President, my amendment is very simple. It establishes a 60-vote threshold for legislation that imposes unfunded mandates on small businesses as determined by the Small Business Administration, when it is in

excess of \$131 million, which is established in the Unfunded Mandates Reform Act. As my colleagues may know, small businesses make up 99/100 percent of all U.S. employers and employs 50 percent of the Nation's nonfarm private sector workers. That is according to the Small Business Administration. Congress has an obligation to make sure laws written in Washington don't unfairly burden Main Street.

The Unfunded Mandates Reform Act already requires the CBO to estimate whether Congress imposes mandates on the private sector. Right now there is a 60-vote point of order against legislation if the Federal mandates estimate has not been printed in the committee report or the CONGRESSIONAL RECORD. The fiscal year 2006 budget resolution conference agreement included a 60-vote point of order for imposing unfunded mandates on State and local governments. That is State and local governments, but it doesn't say anything about the engine of the economy: small businesses.

My colleagues will notice that I have left out big business. Big business can usually take care of itself, but small business doesn't have the people or the clout to be able to come here and point out to us the gross burdens we are putting on them. So I think the Senate should have a new 60-vote point of order that applies to legislation that creates unfunded, private sector mandates. It is time for Congress to remember that our actions here in Washington have very real monetary consequences on the small business owners in Buffalo, WY, or Conway, NH, or Main Street, Anywhere.

I came to Washington from Wyoming as a firm believer in what I call the 80/20 rule. I have found you can reach agreement on 80 percent of all the issues. I also know we are probably never going to reach agreement on the other 20 percent. But any unfunded mandates Congress imposes on the private sector should fall into—no, not the 80-percent category; I am just asking for a 60-percent category and receive strong support on both sides of the aisle that way.

This 80/20 rule was the guiding principle for my chairmanship of the HELP Committee during the 109th Congress. Senator KENNEDY and I abided by that. We avoided the highly partisan issues. We worked on the nonpartisan or the bipartisan issues. It turned out to be, instead of the most contentious committee, one of the more agreeable committees. We accomplished a tremendous amount of work. In fact, President Bush signed 27 committee bills into law. Most of those went through by unanimous consent. That is far above the 60-vote threshold I am asking for with this amendment.

We in Washington have to stop thinking our good ideas can be paid for by the wave of a wand. To that end, the Senate needs a procedural tool to remind ourselves that the policies we pass in Washington often translate to

the direct cost increases on the businesses on Main Street.

This is a commonsense proposal. I urge my colleagues to support the amendment. I am sure there are small business supporters on both sides of the aisle who can see the benefit. I will mention that, right now, there is a 60-vote point of order in the Senate on everything. It is a filibuster. With a filibuster, 60 people have to agree before you can move on. That is often a 5-day waste of time. It would be much more convenient if we could get a vote and see that there are 60 people in support and know that even a filibuster isn't going to work against it. That would allow things to move forward faster.

I am not trying to slow the process. I am trying to provide a mechanism that protects small business and allows us to get on with the business of the Senate. It seems to me to be a win-win situation for us. We do protect cities, towns, counties, States, all of their small governments and even some big governments, but we don't protect the small businessman. The small businessman is what keeps this economy moving, keeps us going. I am sure there isn't any issue that falls into that 80 percent that we all can agree on, that we cannot get 60 percent approval to move forward on. It will encourage more bipartisanship, and I think in the last election that was the main message delivered to all of us. It wasn't the base of either party that provided the impetus for any changes.

It was the independents and the folks who said: Come on, guys, get along and get something done in Washington. That is what we are trying to do with this particular measure—move things along at a faster rate and to assure that small businesses can thrive in this country and that we get agreement from 60 percent of the people in this body to move forward. This will provide needed protection to small businesses.

I ask unanimous consent that a letter from the NFIB be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

March 21, 2007.

Hon. MICHAEL ENZI,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR ENZI: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small-business advocacy group, I strongly support your amendment to the FY 2008 Budget Resolution that would raise the private sector unfunded mandate point of order from a 50 to a 60 vote threshold.

Congress needs a 60 vote threshold to force itself to think twice before adding additional unfunded mandates for several reasons. One, the regulatory burden that small businesses face is already too high. According to recent studies commissioned by the Small Business Administration the regulatory burden in 2004 was estimated to be \$7,647 per employee in small businesses with fewer than 20 employees. And small firms spend 45 percent more than their larger counterparts to comply with federal regulations.

Second, this Congress has either considered or likely will consider mandates that will add to this burden. Among the proposals under consideration include legislation to increase the minimum wage, require small employers to provide paid sick leave, offer family and medical leave, and provide wage insurance.

The critical role that small business plays in our economy is another reason Congress should think before imposing new unfunded mandates. Small business produces roughly half of the private Gross Domestic Product and between 60 and 80 percent of net new jobs. Legislators should be working to strengthen small business's ability to create new jobs and grow their businesses, not working to impede their progress.

Thank you for introducing this important amendment and your continued support of small business.

Sincerely,

DAN DANNER,  
Executive Vice President,  
Public Policy and Political.

Mr. ENZI. Mr. President, I hope my colleagues will support this amendment. I will be happy to address any concerns. We have looked at a number of issues, historically, to see what the effect would be. We think the effect would be good legislation for small business and for the economy of this country.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. SALAZAR). Who yields time?

Mr. ENZI. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Maryland, Senator CARDIN.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I thank Senator CONRAD for yielding me this time. I take this time to rise in support of the budget resolution and the work of Senator CONRAD and the Budget Committee. It has been said frequently it is the most difficult job here to try to put together a budget, when you are trying to deal with all the different priorities. Senator CONRAD has done an excellent job in moving the agenda of this Nation.

This budget resolution changes the fiscal priorities of America. First, it provides for fiscal discipline. The pay-go rules are real. There are difficult choices our committees will have to make. But we have made it a priority to get our budget back into balance and say that we have to make tough choices.

Secondly, there are important priority areas. I compliment the committee for making health care truly a priority, to change the direction of

America. It is a national disgrace that we have 46 million people without health insurance in America. We need to do something about it. We need universal health coverage in this country. This budget moves us in that direction by making SCHIP a priority. It gives the committee the ability to expand a very successful program. SCHIP works. It provides health insurance for our children.

Over the last 10 years, we have seen improved health care outcomes as a result of the SCHIP program. We know that if a person is covered by SCHIP, they are much more likely to receive primary care and dental care. They are much less likely to use the emergency rooms and much more likely to be immunized and have preventive health care and access to prescription drugs. Those enrolled in the SCHIP program are going to be better off. This budget allows us to move that issue forward. We often talk about it.

There was a hearing before the Senate Finance Committee and a family from Maryland was there. I will quote from Mrs. Bedford. She has five children in the SCHIP program. What she said is:

Perhaps the greatest impact MCHIP, the Maryland Children's Health Insurance Program, has had on our families medically is that we no longer have to make impossible health choices based on a financial prospective. We no longer have to decide whether a child is "really sick enough" to warrant a doctor's visit. We no longer have to decide whether a child "really needs" a certain medication prescribed by his pediatrician. The face of CHIP is families such as ours, families who work hard and play by the rules, trying to live the American dream.

This budget will allow more families to be able to be in the health program and to live the American dream. Another family in Maryland is the Diver family, where Diamonte Diver died as a result of not getting access to preventive dental care. The toothache became abscessed and spread into his brain. He had emergency surgery costing over a quarter of a million dollars. If he would have had access to preventive oral care, dental care, for \$80 he could have had a tooth extraction and that would have saved money in our health care system.

By expanding the SCHIP program, more children will be covered by dental care. There are so many reasons why this budget will allow us to move forward regarding our health care priorities. In the 109th Congress, we prevented 17 States from running out of money late in the session. This budget versus the President's budget is a clear choice. The President's budget moves in the wrong direction on health care and the SCHIP program. This allows us to make it truly a national priority.

There are other parts of the budget in health care that I support, such as the long-term care reserve fund, so that we can develop a more cost-effective way to take care of long-term care needs, so families can get assisted living help or home health care, and they



don't have to spend as much money in nursing care. I could go through many priorities, whether it is veterans health care, education, or whether it is transportation. All these are important priorities that this budget allows us to move forward on in a fiscally responsible way.

I know we have had budgets that try to pull back from the pay-go requirements. I am glad we have stood up for the pay-go requirements. We have to balance the budget, but we need to change the priorities of America and move forward with health care and education, and we need to move forward with veterans and transportation. This budget allows us to do it.

I urge my colleagues to be cautious on all these amendments that are being offered. They may sound well intended, but they could jeopardize the thrust of the budget. I urge my colleagues to support the underlying resolution.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank Senator CARDIN, the Senator from Maryland, an extremely valuable member of the Budget Committee. He came to this Chamber after an extremely well-respected career in the House of Representatives, where he served in the most powerful committee in the House of Representatives, the Ways and Means Committee. Senator CARDIN is known as a Congressman's Congressman. He is somebody who does his homework. We have already seen that on the Budget Committee. He is already an extraordinarily valuable member there. I rely on him heavily. I cannot tell you how pleased I am to have Senator CARDIN on the Budget Committee. He has a wealth of knowledge, which has been put to good use as we have crafted this budget resolution. So I commend him and thank him publicly for the contribution he has made. This is the kind of serious-minded person this Senate needs and the Congress of the United States needs. We are delighted he is on the Budget Committee.

I would like to speak for a minute on the Enzi amendment. Senator ENZI, on the other side of the aisle, is somebody I not only like but I respect. Senator ENZI was an accountant in his private life. He brings those skills and that discipline to his job. He is well regarded on both sides of the aisle because he is serious about the job. I wish to start by saying I do like and admire the Senator from Wyoming, Mr. ENZI.

On his amendment, let me give my reactions. I think it is entirely well intended. What I worry about are the unintended consequences with this amendment. Let me say why. Currently, there is a 60-vote point of order against legislation that would impose unfunded mandates against State, local, and tribal governments above a certain threshold. That threshold right

now is \$66 million in any 1 year. In addition to that point of order, there is a 50-vote point of order against legislation that would have an unfunded private sector mandate above a certain threshold. That, currently, as I recall, is \$131 million in a year. But that is not a 60-vote point of order; it is not a supermajority. It is a simple majority. The amendment that Senator ENZI has presented would make the private sector unfunded mandate point of order a 60-vote one, a supermajority.

I think the Senator would acknowledge that. He has altered it somewhat from what he offered in committee. It applies to the extent that the mandate affects small businesses. So this amendment could result in a budget point of order against legislation that has no Federal, State, local or tribal budget impact; but it would have an effect if a mandate affects small businesses and it has an effect of over \$131 million in any year.

So far, so good. The difficulty I see with the amendment is, first, once again, the Budget Committee does not have the authority to make this kind of policy determination. We don't. I would like to. Many times as the Budget Committee chairman, I wish we had this kind of authority, but we simply don't.

If legislation such as this were adopted—and again, it can't be adopted in a budget resolution—but if it were adopted separately, my staff informs me it could affect legislation in the following areas: It could actually create a 60-vote point of order against the mental health parity legislation of Senator DOMENICI—legislation, by the way, of which Senator ENZI is a cosponsor. It could create a 60-vote point of order against the 2007 Defense authorization bill. It could create a 60-vote point of order, a supermajority hurdle, against minimum wage legislation, bankruptcy reform, pension reform, and a host of other bills.

That is the concern I have about this amendment in terms of a policy. We have not had a hearing. It requires further exploration before we would go forward with this particular amendment.

Again, the desire the Senator has to have unfunded mandates points of order on issues that would affect small business is entirely reasonable, but I am very concerned about the unintended consequences. I am very concerned about creating a 60-vote hurdle, a supermajority vote, that could affect issues such as the mental health parity legislation of Senator DOMENICI, such as the 2007 Defense authorization bill, such as the minimum wage bill, such as the bankruptcy reform legislation, such as pension reform.

I sense there is danger here, and I urge my colleagues to think about it carefully before they vote for the amendment.

I understand we are getting to the end of the time. Does Senator ENZI have time remaining?

The PRESIDING OFFICER. Senator ENZI has 8½ minutes remaining.

Mr. CONRAD. Perhaps Senator ENZI wishes to use his time at this point.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I appreciate the comments of the Senator from North Dakota. He and I do have a lot in common. My grandparents homesteaded in North Dakota, and he and I both have a degree from the same college. We share a respect for the process of the Senate. I certainly respect him for the way he handles the budget and the fairness with which he has done so.

I hope he and others on the other side of the aisle will take another look at this amendment and not feel any fear. I hate to have people vote on a sense that there might be something sinister. If one looks at my record in the Senate, they will find I do not do things that are sinister, but I do things that protect small business.

As I have pointed out before, a point of order can be waived. If there are 60 votes, that point of order falls, and the issue moves forward. The Senator mentioned mental health parity. Yes, I am a cosponsor of mental health parity legislation. I have helped to bring people together, to find a third way of doing it, to get it into the 80-percent category, and move it forward for the first time. I know Senator DOMENICI has been working on this issue for over 6 years, close to 10 years, to get it to the point where it is now. I certainly wouldn't do anything that would put that bill in jeopardy. It could be in jeopardy because there is already a 60-vote point of order against it we will have to waive in order to go forward.

On a lot of these small business issues, there would be a 60-vote point of order already available on it. As I mentioned before, there is already another 60-vote possibility because anybody in the Senate can filibuster an issue which can cause it to fall into a category of needing a cloture motion. When you file a cloture motion, if you were to file it today, we couldn't vote on it until Saturday, and we would be debating the qualities of that amendment until Saturday. Saturday, when we had the 60 votes to pass it, then there would be another 30 hours of debate before the actual vote on that amendment, if everybody wanted to press the time. That would take up 5 days, maybe 6 days.

Waiving a point of order takes a few moments, and we can see if there is the strength to move the issue forward and discourage filibusters.

There is some real merit to having this point of order, both to show we have a concern for small business and recognize they are the engine that drives the economy of this country and that we do need to watch out for them, protect them, and keep from putting them out of business.

I hope my colleagues will take a careful look at this amendment and see the merit in it instead of sensing that

there could be implications. I do not have any ulterior motives, other than my normal concern for small business and the feeling we need to watch out for them. It doesn't hurt to have a searching for answers, sometimes a third way, to get done what we want to do to allow small business to succeed and for us to do what we wish to do.

I hope my colleagues will take a look at this amendment and vote for it. I sense there are some who are going to vote for it anyway. I hope they follow through and vote for it.

I yield the floor and yield back the remainder of my time.

Mr. CONRAD. Mr. President, we are now awaiting the arrival of Senator CARPER. I ask the staff to call the Senator's office because we are ready to go to Senator CARPER's amendment.

Mr. President, could you give us an update on the time situation?

The PRESIDING OFFICER. At the present time, there is 4 minutes remaining to the Senator from Wyoming and 3 minutes remaining to the Senator from North Dakota on the Enzi amendment.

Mr. CONRAD. We are prepared to yield back all time on both sides of the Enzi amendment.

I see Senator COLEMAN is here. Will Senator COLEMAN be available to go forward with his amendment? Senator CARPER is not in the Chamber.

Mr. COLEMAN. Mr. President, I am ready to go forward.

Mr. CONRAD. Mr. President, I ask the manager on the other side if that is acceptable with him.

Mr. GREGG. Yes.

Mr. CONRAD. Why don't we do that. We thank Senator COLEMAN very much. We will go to Senator CARPER after Senator COLEMAN has completed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Minnesota.

#### AMENDMENT NO. 577

Mr. COLEMAN. Mr. President, I ask unanimous consent that the pending amendment be laid aside so that I may send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. COLEMAN], for himself, Ms. SNOWE, Ms. COLLINS, and Mr. ROBERTS, proposes an amendment numbered 577.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide budget levels to extend through 2012 the production tax credit for electricity produced from renewable resources; the Clean Renewable Energy Bonds; and energy tax provisions for energy efficient buildings and power plants)

On page 3, line 12, decrease the amount by \$277,000,000.

On page 3, line 13, decrease the amount by \$634,000,000.

On page 3, line 14, decrease the amount by \$939,000,000.

On page 3, line 15, decrease the amount by \$1,307,000,000.

On page 3, line 21, decrease the amount by \$277,000,000.

On page 3, line 22, decrease the amount by \$634,000,000.

On page 3, line 23, decrease the amount by \$939,000,000.

On page 4, line 1, decrease the amount by \$1,307,000,000.

On page 4, line 7, decrease the amount by \$277,000,000.

On page 4, line 8, decrease the amount by \$634,000,000.

On page 4, line 9, decrease the amount by \$939,000,000.

On page 4, line 10, decrease the amount by \$1,307,000,000.

On page 4, line 16, decrease the amount by \$277,000,000.

On page 4, line 17, decrease the amount by \$634,000,000.

On page 4, line 18, decrease the amount by \$939,000,000.

On page 4, line 19, decrease the amount by \$1,307,000,000.

On page 26, line 16, decrease the amount by \$277,000,000.

On page 26, line 17, decrease the amount by \$277,000,000.

On page 26, line 20, decrease the amount by \$634,000,000.

On page 26, line 21, decrease the amount by \$634,000,000.

On page 26, line 24, decrease the amount by \$939,000,000.

On page 26, line 25, decrease the amount by \$939,000,000.

On page 27, line 3, decrease the amount by \$1,307,000,000.

On page 27, line 4, decrease the amount by \$1,307,000,000.

Mr. COLEMAN. Mr. President, as we all know, budgets are about setting priorities for the Nation. As we continue to work on the resolution today, I offer an amendment to address a key priority for our Nation: providing for our Nation's energy future.

We all know America's energy needs are growing rapidly. We need clean energy, and high energy prices threaten our national security. This is now a national security issue. A few years ago, when I was talking about ethanol, I would get some patronizing pats on the back for taking care of some Midwest corn growers. That has changed today.

Clearly, this is a national security issue. High energy prices threaten our economic security. It is imperative then that Congress work to promote energy technology that will offer clean energy solutions and, if anything, Congress's budget should provide for new opportunities to address these issues.

Yet in addition to seeking new legislative opportunities, we must address the oncoming expiration of current energy tax incentives that promote renewable energy and energy efficiency.

At the end of 2008, tax incentives for wind, biomass, geothermal, hydropower, solar, and other clean energy technologies will expire, as well as tax provisions for energy-efficient residential and commercial buildings.

In my home State of Minnesota, we take a lot of pride in our leadership on renewable energy issues from biomass

to wind. It has been said southwest Minnesota is the Saudi Arabia of wind. Our State has made a massive investment in renewables and it is paying off. Renewable energy allows Minnesota to diversify and expand. It has reduced Minnesota's carbon footprint, and has also created jobs and put our State on the leading edge of renewable technology. At one point, I believe Minnesota had half the E85 pumps.

We have had success I would like to see continue in my State and replicated across the Nation. The United States should be a leader of renewable energy in this world. But much of the success would not have been possible without a little assistance. The production tax credit, for example, has enabled the wind industry to explode over the last several years. I talked with so many folks involved in the wind energy business, farmers who farm wind today, small-town mayors who are depending on wind energy to help them. We are at the point now where there is a waiting list for wind turbines. This is a great success story that would not have been possible without the production tax credit which is set to expire at the end of 2008.

Another renewable energy incentive that is new but has generated a lot of interest is the CREBs, clean renewable energy bonds. These are enabling local governments and rural electric co-ops to make a contribution to the need for renewable energy. I know there is a case in Minnesota where several school districts actually combined to use these bonds to put up a wind turbine project. There are great renewable success stories waiting to happen, but this wind energy tool, set to expire in 2008, will be short lived if not extended.

A lot of times, we focus on the production side of the energy issue, when, in reality, promoting energy efficiency can do more than anything to lower energy prices and protect the environment in the short term. In fact, the American Council for Energy-Efficient Economy has found if a massive energy efficiency effort were undertaken, we could reduce natural gas use by 1 percent and cut prices by well over 30 percent—in fact, they said a 37-percent potential cut in prices. Energy efficiency is the quickest, cheapest, and cleanest way to bring down energy costs for consumers. Meanwhile, as consumers save money, they also reduce greenhouse gas emissions.

Although we should always look for additional policies that promote energy efficiency, Congress has passed tax provisions for energy-efficient homes and commercial buildings that have made a real impact. One such provision is a deduction for energy-efficient commercial buildings that reduce annual energy and power consumption by 50 percent, while another tax provision provides a credit to eligible contractors for construction of a qualified new energy-efficient home. Unfortunately, these, too, will expire in 2008.

At a time when Congress should be sending clear signals to the marketplace to move forward with renewable energy and energy efficiency, the very tax incentives targeted to these endeavors will expire shortly. Meanwhile, how is business supposed to make long-term, responsible decisions with such little certainty about the existence of these provisions?

That is the point. If you talk to farmers, talk to groups of farmers who are coming together, they can't get the investment, they can't pool investment, work with banks and others unless they know there is a long-term tax incentive in place. That 1 percent per kilowatt is absolutely critical, and it is set to expire in 2008.

The tremendous advantage we are making—and the Senator from North Dakota understands well—is important to our part of the country. There is the possibility of cutting the legs out from under them, and we simply should not let that happen.

From my State, there is a very clear example. My State of Minnesota has adopted—and is setting the standard—a 30 by 20, 25 requirement. In other words, cut emissions by 30 percent.

Yesterday I sat in on a conversation with the head of Xcel Energy, one of the largest energy providers in the State of Minnesota, and I said: How are you going to get to 30 percent? His answer was wind energy. Wind energy will play an important part.

It used to be a boutique form of energy, just a couple of wind farmers, but today it is an important part of the whole package, the whole piece we need to have in place in order to meet the standards that have been set that will provide for a cleaner environment and that will cut our dependence on foreign oil.

Without incorporating these extensions into its fiscal blueprint, I do not believe this budget is setting a responsible course for our Nation's energy policy. As we look for additional ways to promote renewable energy and energy efficiency, I urge my colleagues to recognize the need to ensure that we do not take a step back. If these tax incentives expire, we will be taking a terrible step back. We need to extend these energy tax provisions, and I urge support for my budget amendment.

Mr. CONRAD. Mr. President, the Senator from Minnesota offers an amendment with which I am entirely sympathetic. In fact, these are many things that I strongly support.

I would inquire of the Senator if he would be open to a different pay-for. Let me express why I am concerned about it. The pay-for the Senator has offered is section 920, and section 920 is about, at this point, fully subscribed. We are between \$7 billion and \$7.5 billion a year on section 920 already, I would say to the Senator. That is about as much as we can do realistically. The President, in his package, had \$7.5 billion. The appropriators, in this last bill for the last year, did \$6 billion.

So the concern I have is that we wind up with a circumstance that will not accomplish what the Senator and I very much want to have happen. I would offer for his consideration that we will not be voting on his amendment right now, in any event, so there is some time for us to consider an alternative. If I could quickly offer as an alternative a reserve fund, which would give total flexibility to the committees of jurisdiction as to how to fund them, would the Senator be open to an alternative?

Mr. COLEMAN. I would note, Mr. President, that I think the underlying budget provides about \$36.4 billion in section 920 funding. I think that is the figure. I know, as the Senator from North Dakota knows, that there have been a number of other proposals. I think Senator BINGAMAN's amendment uses section 920. I do think this is a priority that should have been in the underlying budget. I think it is that essential. I believe the Senator from North Dakota understands and knows the importance of the extension of these tax credits.

This will not be voted on now for a couple of hours, but I will certainly go back and explore and look at some of the possibilities. In the end, I believe this needs to be part of this budget. It is important for our Nation's energy security. It is important, certainly, from an economic perspective. And it is a win-win for everyone. So let me explore other alternatives, but I do hope my colleagues support this amendment, either with the 920 section we are looking at or we will explore whether there is another potential.

Mr. CONRAD. I thank the Senator very much.

Mr. President, the Senator is exactly right. I think in section 920, we are at about \$38 billion. That is over 5 years. The \$7 billion I was referencing is for 1 year. The comparison I was making is that the President had given us similar offsets of about \$7.5 billion for 1 year. The appropriators, in the last major bill for last year, did \$6 billion for the year. So what I am trying to communicate is that I think we are pretty close to fully subscribed there.

There is an alternative that would be a deficit-neutral reserve fund that leaves open to the committees of jurisdiction—it actually gives them more flexibility, I would say to the Senator. I would enthusiastically support that, if the Senator would consider a modification.

Mr. COLEMAN. Mr. President, I will certainly work with the Senator from North Dakota and see if we can figure out a way to get this done.

Mr. CONRAD. Mr. President, we are now ready to go to Senator CARPER.

We very much appreciate the patience Senator CARPER has shown in getting time on the Senate floor. We thank him for his valuable contributions as we work these many amendments we have already considered. Senator CARPER has been an especially

constructive member, and we want to recognize him and thank him for that.

Mr. CARPER. Mr. President, I want to convey my gratitude to Senator CONRAD, our chairman, and also Senator GREGG, our former chairman, and say how much I respect and admire the way they have worked together, whether Democrats were in the majority or the Republicans were in the majority. I think they set an example for the rest of us to follow in the way we deal with each other: with mutual respect, always focusing on the issues, sometimes disagreeing, but doing so in an agreeable way, much the way the Presiding Officer handles himself in these matters.

#### AMENDMENT NO. 538

Mr. President, I ask unanimous consent that the pending amendment be set aside and that it be in order for me to call up one amendment at the desk, and that is amendment No. 538; that once it is reported by number, it be set aside and that I be recognized to speak with respect to this amendment, as already previously provided for.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment. The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for himself and Mr. COBURN, proposes an amendment numbered 538.

Mr. CARPER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reduce the deficit by recovering improper payments)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ DEFICIT-REDUCTION RESERVE FUND FOR REDUCTION OF IMPROPER PAYMENTS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by eliminating or reducing improper payments made by agencies reporting improper payments estimates under the Improper Payments Information Act of 2002 and uses such savings to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

Mr. CARPER. I have three amendments, Mr. President, that I will be talking about which I offered with Senator COBURN. Before I talk about the amendments, though, let me take a moment to say, as a lot of my colleagues do, I have a great deal of interest in the budget, the budget itself and also the budget process.

Part of my interest goes back to my former role as Governor of my State, where we drafted, prepared, proposed, and implemented those budgets for 8 years. During those 8 years, we balanced our budget every year. We even put money, I think almost every year, in a rainy day fund to deal with challenges that might confront my successors someday down the line. We were

able to balance the budget during those years in part because we were guided by a simple, basic principle, and that is if something is worth doing, it is worth paying for.

Balancing the budget doesn't mean sitting on our hands and doing nothing. In Delaware, while I was privileged to serve as its chief executive, we cut taxes in 7 out of 8 years, both individual personal income taxes and business taxes. We also invested in our schools to raise student achievement. We sought to improve health coverage for our children. We put in place a prescription drug assistance program. We helped make welfare pay less than work so that people would be incentivized to go to work. We enhanced our transportation infrastructure and paid down some of our debt.

It wasn't just the Governor, it was the legislature, with Democrats and Republicans working together, sort of our tradition in my little State. We set priorities, we saved money where we could, and when something was worth doing, we paid for it. We paid as we went. We balanced the budget, and we did so year after year.

When I was elected to the Senate in 2000, the Federal budget was balanced as well. In fact, our country was enjoying budget surpluses. When I came to the Senate, we were actually on track to pay off our national debt. We were on track to be debt free, as hard as that is to imagine today. I spent most of my first term in the Senate in the minority. It was a very different experience from being Governor of my State. Over the course of my first term in the Senate, I watched the majority pass budget resolution after budget resolution that ultimately dug us further into debt.

In 2000, the Federal budget was on course to run, I think, a \$5.5 trillion surplus. The size of the national debt had been falling at that point for a couple of years. Over the last 6 years, we have gone, unfortunately, in the opposite direction. We have run record budget deficits and added some \$1.5 trillion to our Nation's debt.

Last year, the American people said enough. This budget resolution responds to the desire of the American people to return to what I call a commonsense approach. There is an old saying—I think it is from Denis Healey, Chancellor of the Exchequer in Great Britain. He had a theory on holes. "When you find yourself in a hole, stop digging." With this budget resolution, we stop digging.

This budget resolution does, once again, what budget resolutions are supposed to do. It not only charts the course to a balanced budget, it also includes enforcement mechanisms to keep Congress's feet to the fire and, I might also add, the executive branch's feet to the fire. A plan on paper to balance the budget is great, but it does no good if we throw that plan out the window as soon as we start passing spending and tax cut bills later in the year.

This budget resolution requires that new proposals to increase spending or decrease revenues be fully offset with counterbalancing cuts in spending or increases in revenue. This pay-as-you-go requirement is something that I have been advocating, along with a number of my colleagues, certainly Senator CONRAD and others, for years. I am very pleased it will soon be adopted, I hope, by the Senate.

This budget resolution takes something called budget reconciliation and restores it to its original purpose. Reconciliation is a special procedure that was created to make it easier to pass legislation that made tough choices to reduce budget deficits. However, reconciliation has been abused in some of these recent years. It has been used to speed the passage of legislation that, far from balancing the budget, actually turned around and busted the budget. It is a little like adding grease to a pig. It makes it exceedingly difficult to get a handle on our out-of-control budget problems.

I offered an amendment a couple of years ago to prohibit the use of reconciliation to expedite passage of measures that do bust the budget. I don't know if that amendment was adopted, but I am glad the Senate will soon take this important step to restore fiscal order.

This budget also includes a new long-term budget point of order. This is vitally important because our short-term budget challenges pale in comparison to our long-term budget challenges. We ought to be taking steps now to prepare for the retirement of the baby boom generation—that is my generation and maybe the generation of several of us on the Senate floor today—preparing for our retirement and preparing for the strain those retirements are going to place on programs such as Social Security, Medicare, and, I might add, Medicaid. The last thing we ought to do is take steps now that will make matters worse in the future.

The new budget point of order created by this resolution requires 60 votes for legislation that would make our long-term budget challenges substantially worse. This forces the Congress to look beyond the present, even past the next election—something we don't always do—to the future we are leaving to our children and to our grandchildren.

I commend the chairman of the Budget Committee, Senator CONRAD. He has inherited a difficult set of circumstances. He has inherited a budget pretty much out of balance. He has inherited a Tax Code that has middle-class tax increases built in, in the form of a rapidly expanding alternative minimum tax. Nonetheless, under his leadership, the Budget Committee has managed to craft what I think is a very sensible resolution. They have provided for our troops in the field. They have provided for investments at home in education, health care for our children, and they have done this in the context

of a plan that holds the line on taxes and charts a course to a balanced budget over the next 5 years.

I particularly thank Senator CONRAD for managing to provide, consistent with a plan to balance the budget, vital support for passenger rail service in this country of ours. It is becoming increasingly evident every day that passenger rail is a good investment, and one I think that is getting better. It is critical to economic growth and mobility. It is necessary to address traffic congestion and to protect air quality, and it is an essential part of reducing our dependence upon foreign oil.

I will just share what I think is a pretty good "gee whiz" factor. We are in Washington, DC, today talking about how rail, passenger rail and freight rail, can help in terms of reducing our dependence on foreign oil. We can take a ton of freight, move it from Washington, DC, to the Northeast corridor, to Boston, MA, with 1 gallon of diesel fuel. Think about that. With 1 gallon of diesel fuel you can move a ton of freight by rail from Washington, DC, to Boston, MA.

There are real economies to be gained, real progress in terms of reducing our dependence on foreign oil. That is about as graphic an example as I can think of.

Mr. CONRAD. Mr. President, will the Senator yield for a question?

Mr. CARPER. I will be happy to yield.

Mr. CONRAD. The Senator shared that statistic with me the other day, and I would like the Senator to repeat it because I think it is very easily overlooked. Would the Senator repeat that statistic?

Mr. CARPER. With pleasure. It is possible to move 1 ton of freight by rail from Washington, DC to Boston, MA, for about a gallon of diesel fuel. That is it. There are similar kinds of efficiencies we could realize by moving people, not just tons of freight by rail but people by rail, especially in densely populated corridors. I am not one who argues—I used to be on the Amtrak board, but I am not one who argues we should run trains in places people don't want to ride them or that we should run them in sparsely populated areas. I don't know that always makes sense. But we have 75 percent of people in this country who live within 50 miles of one of our coastlines. What that does, from the Northeast, the mid-Atlantic, Southeast, gulf coast, west coast, is create a lot of densely populated corridors. They lend themselves to passenger rail, especially for trips of maybe 300 or 400 miles or less.

With respect to Amtrak funding, we need to appropriate levels of capital. That is going to be more important as we consider a comprehensive reauthorization bill for Amtrak, which I hope is going to happen later this year.

I also thank Senator CONRAD and the committee for addressing the tax gap in this bill. That is the difference between the amount of tax that is legally

owed and the amount that is actually being paid on a timely basis. The tax gap is estimated to be some \$345 billion in 2001. The chairman of the Budget Committee has estimated it will amount to as much as \$2 trillion over the course of the 5 years covered by this budget resolution. If we completely closed this tax gap, we would largely eliminate the Federal budget deficit. We are never going to completely close it, but we need to do more to narrow it. It is a matter of basic fairness to the great majority of Americans who do the right thing and pay their taxes they owe on a timely basis.

Together with Senator COBURN, who is the ranking member of the Financial Management Subcommittee I chair, I am offering three amendments to the budget resolution that I believe complement the initiatives in the budget resolution to address the tax gap. Our amendments deal with the spending side of the equation. Based on our work in the subcommittee, our amendments point to ways in which we can and should reduce the deficit by promoting better financial management. I think actually the administration probably agrees with what we are trying to do here.

Our first amendment deals with improper payments. Agencies across the Federal Government spend literally tens of billions of dollars every year on avoidable payment errors.

The most recent Governmentwide estimates from OMB report that agencies made about \$41 billion in improper payments in fiscal year 2006, most of them overpayments. This total is likely only the tip of the iceberg, since many agencies are not in full compliance with the law that requires them to report on their payment errors—the Improper Payments Information Act.

OMB has plans in place to improve agencies' compliance with the Improper Payments Information Act. In keeping with our oversight role, our subcommittee is working with OMB to ensure that agencies comply with these plans and make consistent progress toward OMB's goal of eliminating up to \$20 billion—that's about half the improper payments—in reported improper payments between now and 2011.

The first amendment Senator COBURN and I have submitted would apply such savings as we are able to realize through the elimination of improper payments to deficit-reduction.

The second amendment Senator COBURN and I have submitted touches on recovery audits, a tool at least some agencies use to recover payment errors they make.

Under current law, agencies with at least \$500 million in contracts outstanding must regularly go through their books to find overpayments, double payments, and other errors they may have made in paying their contractors.

According to data released by OMB in January, just 2 months ago, agencies used recovery auditing to identify and

collect millions of dollars in payment errors made to contractors. Frankly, We would like to see more of this kind of auditing work done.

I intend to work with Senator COBURN, OMB, and others to increase the amount of recovery auditing that occurs at the Federal level. The amendment Senator COBURN and I have submitted today would dedicate the savings we achieve by doing that through these efforts to deficit reduction.

Our third amendment touches on the management of Federal property. Senator COBURN and I have learned through several hearings in our subcommittee that agencies are spending a significant amount of money each year maintaining unneeded property—including buildings that are completely vacant.

Part of this problem comes from the fact that agencies still don't really know what property they own, in some cases, despite some admirable efforts undertaken by the administration. Agencies also aren't given the appropriate incentives under current law to dispose of property they no longer need.

Senator COBURN and I have been working on legislation that would give agencies additional tools and incentives that will encourage them to dispose of unneeded and vacant property. In so doing, it will enable the Federal Government and the taxpayers of this country to save the substantial costs that are incurred when we fail to dispose of these excess properties.

OMB has said that the legislation Senator COBURN and I hope to bring forward this year would help agencies unload some \$11 billion in property by 2011. The amendment Senator COBURN and I have submitted today would devote this savings to deficit-reduction.

Again, I commend the Chairman of the Budget Committee and the Full Committee for a job well done. I urge my colleagues to support this budget resolution. And I urge my colleagues to join Senator COBURN and me in our efforts, I hope later today, to reduce the deficit through better financial management, by supporting these 3 amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I see now that Senator LINCOLN has come to the floor. We are running a little bit ahead of schedule, which is very helpful to us. While the Senator prepares, I say this to my colleagues: It is very important for colleagues to get this message because we have agreed between the managers of the bill to the following: In addition to the outline of amendments we have between now and when we start voting, we are then going to stop voting at 6 o'clock tonight. We will then have a period this evening where Senators will be able to speak. They will not be able to offer amendments. They can speak about amend-

ments, but they will not be able to offer the amendments. We will have blocks of 30 minutes. From 6 to 6:30, the time will be under the control of the minority. From 6:30 to 7, it will be under the control of the majority. It will alternate back and forth in that way.

So from 6 to 6:30, the minority will control a 30-minute block. From 6:30 to 7, the majority will control a 30-minute block, and so on. From 7 to 7:30, back to the minority. From 7:30 to 8, the majority. Senators and their staffs need to be aware that time will be available for speaking. You can talk on the amendments. You can talk on the budget resolution. You will not be able to offer an amendment, but you can talk about the amendment you will be offering tomorrow.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. To clarify further from our side of the aisle, in those time slots we have already had requests for 10 speakers. We are basically allocating 15 minutes per speaker so we are well into 2½ hours of our time we will be using on our side of the aisle. If other people wish to speak, it will be after those first 10 who have already gotten in touch with us and told us they need time. Please get in touch with us if people want to say something. At that time it will be a convenient time for people who have an amendment to talk about the amendment so they can get a little more on the record about the amendment because tomorrow on the vote-arama they will be limited to 1 minute to explain their amendments.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I thank the Senator. I wish to send the word out to Senators on our side that time will be designated on a first come, first served basis. So Senators need to call the cloakroom or call the Budget Committee to get that time allocated.

Now we have time reserved for the Senator from Arkansas, Mrs. LINCOLN.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

AMENDMENT NO. 542

Mrs. LINCOLN. Mr. President, I ask unanimous consent to call up amendment 542.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. LINCOLN. I also ask unanimous consent to add Senator MCCASKILL as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mrs. LINCOLN], for herself, Ms. SNOWE, and Mrs. MCCASKILL, proposes an amendment numbered 542.

Mrs. LINCOLN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide the Veterans Benefits Administration with additional resources and staff to more effectively meet their increasing workload and to address the unacceptably large claims backlog that continues to cause undue hardships for veterans and their families across the country.)

On page 22, line 12, increase the amount by \$70,000,000.

On page 22, line 13, increase the amount by \$62,000,000.

On page 22, line 17, increase the amount by \$8,000,000.

On page 26, line 12, decrease the amount by \$70,000,000.

On page 26, line 13, decrease the amount by \$62,000,000.

On page 26, line 17, decrease the amount by \$8,000,000.

Mrs. LINCOLN. Mr. President, I have a special thanks to our chairman and ranking member, who have been enormously diligent on this budget issue. Chairman CONRAD has done a phenomenal job in bringing together a budget that reflects values for this country and for the American people. We are grateful to him for spending so much time, along with the members of the Budget Committee, in doing that.

I rise today to offer this amendment with my friend and colleague from Maine, Senator SNOWE. It is an amendment to the budget resolution that would provide an additional \$70 million for the Veterans Benefits Administration. It is not a huge amount, but it is a necessary amount. This very much needed funding would provide the Veterans Benefits Administration with additional resources and staff to more effectively meet its increasing workload and its growing backlog of pending claims.

We have seen a tremendous pressure put on our Veterans' Administration over the last several years. The veterans of this country, who have given so selflessly to this country in their service, in return deserve the services they have been promised. It is so important that the Veterans' Administration is able to process those requests.

Chairman AKAKA and Senator MURRAY have certainly shown tremendous leadership on behalf of our veterans. I thank them from the bottom of my heart. I thank them for all they have done. I also commend my colleague Chairman CONRAD for this budget resolution which does so much in reflecting our Nation's commitment to our veterans. We know the chairman has put in here much needed resources for the VA. Those of us who believe so strongly in our veterans appreciate that.

I am here today to build off of that great work these individuals have done. Delivering timely and accurate benefits to the brave men and women who have served our Nation in uniform should be a priority for each of us. The current backlog of pending disability and compensation claims has been listed as one of the VA's highest management priorities over the past several years. Yet the backlog that exists there is growing each and every day. The number of veterans who are con-

tacting our office, our congressional office in Arkansas, who need help in navigating the disability claims arena at the VA, is so huge. Unfortunately, the time that begins to lag becomes years—not weeks or days but years—that our veterans are not getting the services they need because of this claims process.

With an aging veteran population and more and more service men and women who are returning from overseas, the numbers of these claims will continue to increase, and the problem also becomes that our older veterans who have claims and have had claims existing for a long time, unfortunately, with newer veterans who are returning from Iraq and Afghanistan, they get pushed to the front of the line oftentimes. It is an unreasonable situation for the VA to be in.

The complexity of these claims has also increased as the health of our aging veterans has worsened and we are seeing a growing number of complex new claims that are resulting from complex combat-related injuries, such as PTSD and traumatic brain injuries.

Unfortunately, the increase in the growing complexity of these claims, coupled with the lack of resources by the VA, has contributed to an unacceptably large claims backlog that continues to cause undue hardship for our veterans and their families all across this country.

We all agree the claims process should be more timely and more accurate. While there are a number of fundamental changes that need to be made, the least we can do is better provide the VA with the resources and the staff they so desperately need.

Last year the backlog of pending compensation and pension claims was nearly 586,000. As of last week, the backlog had grown to over 647,000.

The most time-consuming and labor-intensive claims to process are the disability claims which require rating decisions. Last year the backlog of disability claims was nearly 372,000. Today it has grown to 405,000. This amendment would address the growing backlog of pending disability claims by providing \$65 million to hire an additional 600 disability claims processors.

As the VA receives and adjudicates more claims, it results in a larger number of appeals. That backlog of claims also continues to grow, and that is why this amendment would provide \$4 million for the Board of Veterans' Appeals to hire 32 additional full-time staff.

Additional funds are also necessary to increase training for current employees as well as any new employees to ensure consistency of claims processing and to lower error rates. That is why this amendment would provide the 1-year cost for increased training resources and quality measures with \$400,000 for training and performance support systems and \$400,000 for skill certification.

I was taught at an early age about the sacrifices our troops and their fam-

ilies have made to keep our Nation free. My father and grandfathers both served in uniform; my father in Korea as an infantryman, I had both grandfathers who served the Nation in World War I. That is why I am here today.

These veterans have given so much. They have given so much, as have their families. But to sit in waiting for years to get an answer from the VA is absolutely unacceptable, simply because we are not willing to put the staff there that needs to be there to deal with the volume of people who are coming.

I urge my colleagues to support this amendment, which would simply allow the VA to better process and award the benefits to which they are entitled by law. This does not create any new benefits. It simply gives them access to the benefits they already need and deserve.

I would ask my colleagues to check with your staff and check with your offices to see the disability claims you are dealing with for veterans in your State and see how many of them have such a lengthy time that you would love to be able to erase.

The lessons ingrained in me since my childhood have taught me that after a person has served in the military, we should make every effort, absolutely every effort, to care for them and for their families and to honor the benefits they have earned. It is the least we can do for those to whom we owe so much. It is the least we can do to reassure future generations that a grateful nation will not forget them when their military service is complete.

I urge my colleagues to support us on this amendment. We know that, as I said, the Budget Committee has done a good job in putting forth a responsible budget but one that truly recognizes the needs of our veterans. This is one small measure where we can assure the resources will be there to hire the staff, to ensure the backlog in these claims can be taken care of.

I appreciate, again, the chairman and the ranking member of the Budget Committee. I thank them for the incredible job they have done. I encourage my colleagues to support this amendment on behalf of the many veterans, with whom each and every one of us in our offices works, to ensure we can get them a timely response on their claims with the VA.

Ms. SNOWE. Mr. President, I rise today in strong support of an amendment that my friend and colleague from Arkansas, Senator LINCOLN, and myself have offered to the budget resolution, which will help to ensure that our Nation's courageous veterans receive the benefits and compensation that they have earned in a timely and efficient manner from the Department of Veterans Affairs (VA).

Every year, hundreds of thousands of America's finest look to the Veterans



Benefits Administration (VBA) to process their claims for disability compensation, pensions and other entitlements due them as a result of their unselfish and steadfast service to our Nation. However, according to a VBA Workload Report in 2006, the total number of pending compensation and pension claims increased nearly 17 percent over 2006, from 517,574 to 604,308 cases—and as of last week, the backlog had grown to 647,405 cases. On top of this, our country's aging veterans' population and influx of service men and women who will enter the VA system after returning from Iraq and Afghanistan will inexorably lead to an increase in the VBA's workload.

The lengthy delay that many veterans endure to receive their benefits from the VA is simply unacceptable. Therefore, I believe it is vital for the Department of Veterans Affairs to have the resources necessary to promptly deliver benefits to veterans by adjudicating and processing their claims in a timely and accurate fashion. Given the critical financial importance of disability payments for veterans and their families, the VA has an undeniable responsibility to maintain an effective delivery system and to take decisive and appropriate action to correct deficiencies as soon as they become evident.

On March 7, 2007, the Senate Committee on Veterans' Affairs received testimony from Rick Surratt, the Deputy National Legislative Director of the Disabled America Veterans, who highlighted the staffing shortages that have hindered the VA's ability to process claims. Surratt stated:

Past Reductions in staffing levels degraded VA's ability to process and decide disability claims in a correct and timely manner. After falling behind, it never fully recovered. With continued growth in the volume and complexity of claims for disability benefits, VA has not requested the resources necessary to overcome the existing backlog and stay abreast of that growth. . . .

On December 4, 2006, Senator LINCOLN and I joined with 33 of our colleagues to send a letter to the President, respectfully requesting that his fiscal year 2008 budget submission to Congress includes adequate funding for additional staff and resources necessary to address the growing backlog of pending claims at the VBA. According to the President's fiscal year 2008 budget, the average length of time to process a veteran's disability claim has dropped to 177 days, and the President's new budget will lower that processing time to 145 days. Although Senator LINCOLN and I applaud the President's recent efforts to improve the veterans' claims process, we still feel that our Nation's veterans deserve much better.

Therefore, our amendment will directly address the staff and resource shortages at the VBA by providing \$64.5 million in order to hire an additional 600 disability claims processors. Additionally, the Board of Veterans Appeals, whose workload has increased by 82.5 percent since 2001—to an estimated

40,000 cases by the end of 2007—has seen decreases in staff levels during the same period. As a result, a GAO report found that it took an average of 657 days to resolve these appeals. Our amendment will provide the Board of Veterans Appeals with \$4.1 million to hire an additional 32 processors in order to expedite the adjudication process to acceptable levels.

I also believe that comprehensive training and skill certification programs must be implemented in order to reduce the claims backlog and ensure that processing personnel make accurate decisions. The prevalence of new and complex disability claims resulting from posttraumatic stress disorder, PTSD, and traumatic brain injury, TBI, provide further evidence of the VA's need for a larger and more advanced processing staff. Thus, our amendment will provide a 1-year cost for increased training resources and quality measures with \$400,000 for training and performance support systems and \$400,000 for skills certification.

I have nothing but the utmost respect for those brave Americans who served in uniform with honor, courage, and distinction. The obligation our Nation holds for its veterans is enormous, and it is an obligation that must be fulfilled every day. At a time when over 600,000 courageous men and women have returned from combat in both Iraq and Afghanistan, and over 24,000 servicemembers have been wounded since the onset of Operation Enduring Freedom and Operation Iraqi Freedom, Congress must now do everything in its power to answer our veterans' call, to ensure that they receive the benefits that they rightly earned and rightly deserve. I strongly urge my colleagues to support this amendment. Our veterans deserve nothing less.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I wish to thank Senator LINCOLN for this amendment. We all know there is a claim backlog that is absolutely unacceptable. According to the General Accounting Office, between fiscal years 2003 and 2006, the backlog of veterans waiting on ratings claims grew by almost 50 percent, including those filed by veterans of the Iraq and Afghanistan conflicts.

Similar problems have been cited at the Department of Defense. That is an unacceptable backlog. I wish to thank the Senator for offering this amendment, which I might add is paid for. I especially thank the Senator for that.

We now have the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I would suggest that we settle up the post-6 o'clock period, if the chairman is agreeable with that at this time, with a unanimous consent request along the lines of what the chairman earlier outlined.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I ask unanimous consent that we next go to the Senator from Wyoming, Mr. THOMAS, for 10 minutes. Is that acceptable to the Senator? We then go back on the previous schedule. At 4 o'clock, we recognize Senator BAYH for 10 minutes.

Mr. GREGG. The previous schedule assumed Senator KYL.

Mr. CONRAD. We would stay with the schedule we had, but at 4 o'clock we would go to Senator BAYH for 10 minutes. Then after the votes are completed, that we have the first half hour dedicated to the minority, for people with the right to speak on amendments for up to 15 minutes each. That from 6 to 6:30, the time is under the control of the minority; from 6:30 to 7, the time is under the control of the majority; from 7 to 7:30, the time is under the control of the minority, back and forth in those half-hour blocks of time. Senators would be permitted to speak. They would be able to speak on amendments but not to offer amendments during that period.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, also I would note, for the edification of our side of the aisle, our first group of speakers will be in this order: Senators DOMENICI, SPECTER—they will go 15 minutes each—starting at 6; Senator GRASSLEY and Senator HATCH, second half hour; Senator VOINOVICH and Senator BROWNBACK, the third half hour; Senator CHAMBLISS, Senator THOMAS, the fourth half hour; Senator GRAHAM, Senator BURR, the fifth half hour.

If there are Members, additional Republican Members, who wish to get time in this post-6 o'clock period, I wish they would get in touch with us.

If any of these Members whom I just listed who had gotten in touch with us—we basically listed them in the order they got in touch with us—wish to adjust their time, we will try to work with them. But that is the game plan at the moment, so everyone is on notice.

Mr. CONRAD. I say to the Senator, we may want to think about interspersing Senators because it would be unfortunate if Senators did not appear and there was a large block of time where people were waiting. We are probably going to want to work out some mechanism where Senators, if they are here, we allow them to go forward.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 464 WITHDRAWN

Mr. GRASSLEY. Mr. President, I ask unanimous consent to withdraw my amendment dealing with payment limitations on farm programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I thank the Senator very much. He has, as always, been very courteous and very helpful in allowing the budget resolution to proceed.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 498

(Purpose: To strike the reserve funds)

Mr. THOMAS. Mr. President, I have an amendment numbered 498 at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS] proposes an amendment numbered 498.

On page 48, beginning with line 17, strike all through page 62, line 7.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. The reason we are here, of course, is to deal with the budget. I think that is a very important part of what we do in this Congress. It has to do with funding programs, but it has also to do with determining what our spending is going to be in the year.

Frankly, for many of us, having some idea, some control over spending is one of the key issues we face. The amendment I am offering would bring some transparency, restraint, and I hope discipline to this budgeting process. The budget resolution is supposed to provide the blueprint for Government spending and allocate dollars for appropriators in the future. That is what it is for. That is why we do it in the budget, so that for this year we will have a budget that says: Here are the programs, here are the dollars, this is what we do.

To be sure, it is a difficult task. It is always difficult, and there are limited resources and always unlimited demands and infinite requests. It is a tough job putting together a budget. However, it requires hard choices. I understand that. It is a time when we make choices among the competing priorities, and that is what budgeting is for. That is, in fact, the purpose of the budget.

I am concerned, in this budget, about the reserve funds that are placed there. This budget abdicates responsibility in a number of areas and fails to even set a cap on overall spending. The primary mechanism by which this happens is because of the so-called reserve funds.

This budget contains 22 separate funds, the purpose of which is to allow spending beyond the limits specified in the budget decision. In a vast majority of cases, the additional spending authority is totally unchecked. Not only is spending unchecked, there is actually no money in any of these reserve funds.

Of course, each of them is specified to be deficit neutral. What does that mean? What it means is that, in a budget that includes not a single penny of net spending restraint, taxes can be raised to pay for any reserve fund

spending. This could be an additional \$1 trillion in tax increases already assumed in the budget.

So that is the opportunity that is provided because of this reserve provision. Now, I know we have designated reserve funds in the past for various things, but the practice is not one we should encourage or continue or proliferate.

The American people sent a message last November. They want fiscal discipline. I could not agree more. And no more "business as usual" when it comes to spending. So we have a budget but then we have a way to say: I want to expand the budget. And we pay for it by increasing taxes. So we really say: We do not have a budget at all until we are through with the year. I cannot understand that. So I hear the folks who are saying we need to control spending.

Perhaps my friends on the other side of the aisle are not quite as conscious of that as we are. Even if we do make a miscalculation in the budget resolution, we need to move funds from one area to another, and that should be spending neutral. In other words, we should make hard choices, decrease spending in one area if we have to increase it in another.

As it is currently constructed, these reserve funds are the equivalent of a blank check signed by the American taxpayer. So these tax-and-spend funds need to be eliminated. I urge my colleagues to join me in support for this amendment.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, it is a quarter to 3. Next up is Senator KYL, to be recognized for an hour, equally divided, on an estate tax amendment. Then we will have Senator BAYH at 4 o'clock. Those are pending matters.

These are the votes which are now in order, I advise my colleagues: the Hutchison sales tax amendment, the Ensign means testing Part D, the Sanders amendment to provide additional funding for education, the Enzi amendment that involves small business, the Coleman amendment on energy, the Carper amendment, and the Lincoln amendment on veterans. Those are amendments which have already been offered. At 3 o'clock, we will be going to the Kyl amendment for an hour, equally divided.

Let me again say to colleagues and staffs who might be listening, we will be going to votes at roughly 4:15. We will then be voting until 6 o'clock. We would like to get as many of these votes concluded as we can this evening

because that will reduce vote-arama tomorrow. Again, colleagues should be aware, starting at 6 o'clock, in half-hour blocks of time, there will be opportunities for colleagues to talk about their amendments they may offer tomorrow or to talk about the budget resolution itself. We will go fairly late tonight with Senators having an opportunity to speak. When we are done today, all but a half hour will be yielded back. Senator GREGG and I will have that time to wrap up. Then we will be going into vote-arama tomorrow. I believe that starts at 9:30 tomorrow morning.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Does the debate start at 9:30 on the half hour that is reserved?

Mr. CONRAD. We should start at 9 o'clock.

Mr. GREGG. That is fine.

Mr. CONRAD. I think we would want to start at 9 o'clock with our half hour to be equally divided between the two of us and then go right to the voting starting at 9:30. It is our intention to try to conclude by 4 o'clock. It is very important that Senators give notice to the managers about amendments they seek to have considered during vote-arama.

Let me break this down. From 9:30 to 4—that is 6½ hours—we can do about three votes an hour. We would be talking about 19 votes. We could probably get in 19, perhaps 20 votes in that time. That is realistic. That is hard, but it can be done.

It is going to be incredibly important, for us to finish this budget resolution tomorrow, that colleagues show restraint with amendments they insist on considering. We have already considered many amendments. Senators have had a full opportunity for debate and discussion. Goodness knows, we took dozens of Senators' suggestions in drafting this budget resolution. I am asking—I am speaking to my side of the aisle—Senators to show real restraint in terms of the amendments they insist on because we must conclude our business by 4 o'clock tomorrow. If we do not, it is going to go on into some other time, either on into tomorrow tonight or on into Saturday. Maybe we could stay here all Friday night. Wouldn't that be fun? Please, this is the time to show discipline.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I have agreement with Senator THOMAS that his amendment will be voted on on Friday. That is not a part of the next tranche of votes. It will be in order on Friday to be voted on. He therefore no longer wishes to speak this evening. He made his points just now.

I would advise Senator GRAHAM and Senator BURR that they have both moved up on the list. It looks to me that we will have seven votes, maybe eight or nine potentially in order starting at 4:15.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 538 AND 542

Mr. CONRAD. Mr. President, I ask unanimous consent to agree to the Carper amendment No. 538 and the Lincoln amendment No. 542.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 538 and 542) were agreed to.

Mr. CONRAD. I thank the Chair and my colleagues. That helps us make progress. It reduces the number of votes that will have to be considered when we get to votes in the 4:15 time range.

This may be a good time to again alert colleagues that we are looking to a series of votes starting at roughly 4:15. Votes will end at 6 o'clock. There will then be half-hour blocks of time available to the minority and the majority in alternating half hours for people to speak on their amendments or on the budget resolution.

We now are awaiting Senator KYL for his amendment. At the end of that hour, which will be evenly divided between the sides, we will have Senator BAYH recognized for 10 minutes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, lately we have heard a lot about the alternative minimum tax. It is a problem around here we have talked about and not done much about over a long period of time, whether Republicans have controlled this body or Democrats have controlled this body. Most often, we talk about the difficulties of really fixing the alternative minimum tax. Obviously, then, it is not a new problem. It has been with us for several decades.

The individual minimum tax, the precursor to the alternative minimum tax, as we call it now, dates from 1969. Congress then discovered, somehow, 155 taxpayers with incomes greater than \$200,000 a year were not paying any taxes because they could legally avoid those taxes. So it was calculated that everybody ought to be paying a little minimum tax, and that is where the alternative minimum tax comes from. At that particular time, it was affecting about one taxpayer in half a million. Now, clearly, the situation has changed in the last 38 years.

Although not its only flaw, the alternative minimum tax's most significant defect is it is not indexed for inflation. This failure to index the exemption and

rate brackets—the parameters of the alternative minimum tax system—is also a bipartisan problem. Though \$200,000 was not an incredible amount of money in 1969, the situation is different today. I am not saying \$200,000 is not a lot of money today, because it is, but \$200,000 today will not buy what it would buy in 1969.

In 2004—the most recent year for which the Internal Revenue Service has complete tax data—instead of having 155 people paying this tax, more than 3 million families and individuals were hit by the alternative minimum tax. This chart I have in the Chamber has the numbers for every State in the Union. I am not going to go down those numbers now because we do not have time. But you can see, State by State by State, there are tens of thousands of people paying the alternative minimum tax who were never intended to pay it, even though we have taken some action in recent years so yet more people are not paying the alternative minimum tax.

This does not even begin to hint at what will happen if we do not continue to protect taxpayers from the alternative minimum tax. Barring an extension of the hold harmless contained in the 2006 tax bill, the alternative minimum tax exemptions will return to their pre-2001 levels. At the end of 2006, provisions allowing nonrefundable personal tax credits to offset AMT tax liability expired. If further action is not taken, it is estimated the alternative minimum tax will claim 35 million families and individuals by the end of this decade.

Now, think of that: A tax originally conceived to counter the actions of just 155 taxpayers could hit 35 million filers in just a few years, and I am talking about just around the corner. Some analyses show that in the next decade, it may be less costly to repeal the regular income tax than it would be to repeal the alternative minimum tax.

The AMT is a problem that has been developing for almost 40 years. On numerous occasions, Congress has made adjustments to the exemptions and the rates, though not as part of a sustained effort to keep the AMT from further absorbing our Nation's middle class until 2001. We did repeal it in 1998, but President Clinton vetoed it. We never, then, were able to get it repealed. So I am arguing for repeal.

Despite the temporary measures we have taken, the alternative minimum tax is still a very real threat to millions of taxpayers who were never supposed to be subject to the minimum tax. That the AMT has grown grossly beyond its original purpose, which was to ensure the wealthy were not exempt from an income tax, is indisputable, and that the AMT is inherently flawed would seem to be common sense.

Despite widespread agreement that something needs to be done about the AMT, agreement on what exactly to do is not very widespread. A major factor in the disagreement relates to the mas-

sive amount of money the AMT is supposed to be bringing into the Federal Government over the next few years—but remember, supposed to be bringing in from taxpayers who were never supposed to pay it in the first place. In 2004, AMT filers paid more than \$12.8 billion into the Treasury.

If we do not extend the most recent AMT hold-harmless provisions that expired at the end of 2006, that number is projected to balloon to a much greater amount, and long-term budget forecasts currently show this greater amount coming into the Treasury.

When forecasters put their projections together, they are working under the assumption that the hold harmless which was extended in last year's tax bill will not be extended, that we will not take care of this problem. So they are guessing there is a whole bunch of revenue coming in from people who were never intended to pay it in the first place. Because of this, budget planners make the assumption that revenues will be much higher than everyone who is frustrated with the AMT thinks they ought to be. The reason for this is that the AMT "balloons" the revenue base, as it is projected to increase revenues as a percentage of gross national product. There is a great deal of evidence to support this.

Now, the nonpartisan Congressional Budget Office has consistently forecast the ballooning of AMT revenues year after year. This chart I have in the Chamber shows that with the red line. It takes into consideration that we are going to bring revenue in from people who were never supposed to pay it in the first place.

I just want to note that although the Tax Increase Prevention and Reconciliation Act of 2005 was signed into law after this analysis was published, the 2006 tax bill extended the AMT hold harmless only through December 31 of last year, and this chart shows Federal revenues all the way to the year 2050. It is important to note the long-term effects of the AMT on the revenue base because that is what is at issue: the basic idea that we are going to receive a lot of revenue from middle-income taxpayers who were never intended to pay it—which is part of that red line we have to get rid of because why tax people if they were not supposed to be taxed? The law is corrected from time to time to keep it from happening.

There may be some doubters who hesitate to attribute this ballooning of revenues to the AMT. But this next chart illustrates the drastic expansion of the AMT under current law over the next 43 years.

The Congressional Budget Office's report also states:

[B]y 2050, roughly 15 percent of individual income tax liability would be generated by the AMT, compared with about 2 percent today.

This is what will happen if we do not do anything.

The problem with all of the projections showing the AMT ballooning revenues is that these projections are used

to put together the budget we have before us. Now, this is not a Senator CONRAD problem. This is not a Democratic problem. This is a bipartisan problem. Republican and Democratic budgeteers rely on the same source of revenue—or I should say a source of revenue the Congressional Budget Office says is going to come in from people who were never intended to pay it.

This means the central problem in dealing with the alternative minimum tax is money. There are some people who say we can only solve the AMT if we offset the revenue and it can be found elsewhere to replace the money the AMT is currently forecast to collect. But we never intended to collect it from the people who we suppose are going to pay it. Anyone who says this sees the forecasts showing revenues being pushed up as a percentage of gross domestic product and wants big government to keep them up there.

These arguments are especially ridiculous when one considers that the alternative minimum tax was never meant to collect so much revenue. It is a failed policy in many ways.

The alternative minimum tax has even failed in its objective to ensure no citizen, no matter how wealthy, was able to completely avoid the Federal income tax, because in 2004, the Commissioner of IRS, Mr. Everson, informed the Finance Committee that the same number of taxpayers, as a percentage of the tax-filing population at large, continues to pay no Federal income tax. It boils down to the fact that the class of 155 people the law was set up for in the first place, in 1969, is even finding ways out of getting hit by the alternative minimum tax, and doing it legally because we have 2,366 taxpayers with incomes of \$200,000 or more who do not use the medical and dental deduction had no income tax and no alternative minimum tax. The AMT has failed in every way except the ability to make Government bigger, or at least make it look bigger, and for those who think you ought to have an offset, to keep it big. The AMT has failed. While it may be hard for some to turn down taxpayers' money, whether we are supposed to collect it or not, no one has trouble spending the money—even the blue smoke money that is in that red line there.

It is simply unfair to expect taxpayers to pay a tax they were never intended to pay, and it is even more unfair to expect them to continue to pay for that tax once we get rid of it. The reform or repeal of the AMT should not be offset because it is money we were never supposed to collect in the first place.

The way to solve this problem is to look on the other side of the ledger, to the spending side. Budget planners need to take off their rose-colored glasses, because that never materializes, and if it does, you are going to ruin the middle class. So take off your rose-colored glasses when looking at long-term revenue projections and read the fine print.

In general, it is a good idea to spend money within your means, and this is true in this case for the Government as well. If we start trying to spend revenues we expect to collect in the future because of the alternative minimum tax, we are living beyond our means. We need to stop assuming record levels of revenue are available to be spent and recognize the alternative minimum tax is a phony revenue source.

As we consider how to deal with the alternative minimum tax, we must first remember we do not have the option of not dealing with it. The problems will only get worse every year and make any solution even more difficult. We must also be clear the revenue the AMT would not collect as a result of repeal or reform should not be offset as a condition of a repeal or reform. We shouldn't call it lost revenue because it is revenue we never had to begin with.

A few weeks ago I presented to this body a joint tax estimate of how various proposed fixes to the AMT will impact revenues expected to be collected under current law. I noted at that time that full repeal aside, each of these proposals will still allow the alternative minimum tax to bring in hundreds of billions of dollars into the Treasury. If you consider any proposal aside from full repeal, you are saying hundreds of thousands, if not millions, of taxpayers out there deserve to bear the burden of the AMT. In other words, the middle class that is so talked about on this floor of this Senate to protect, the only way they are going to be protected is the extent to which we do away with this tax.

Suppose we are able to continue enacting 1- or 2-year temporary patches, as we have done. First, this strategy assumes Congress will have the time and the inclination to spend time dealing with the alternative minimum tax every year or two. This means whatever the issue of the day might be—Iraq, unemployment, natural disasters—Congress will have to stop dealing with those other problems and return to a problem we should never have had to deal with in the first place. Is the alternative minimum tax an issue that we as a legislative body want to revisit every year? Wouldn't it be better to solve it once and for all, particularly since it is phantom revenue, taxing middle-class Americans who were never supposed to pay it in the first place? Remember, only 155 taxpayers were targeted with this tax in 1969.

Second, every time Congress attempts to enact or extend a temporary fix, the same revenue issues are going to come up. Budget projections create the illusion of forgone revenues given up because of an alternative minimum tax hold harmless. Every time a patch is considered, there is another chance for taxpayers to be subject to this stealth tax increase.

Clearly, there is only one way to fix the AMT so no taxpayer is subjected to what has become a complete policy failure. We must completely repeal the

individual AMT. There is a bipartisan consensus that only complete repeal is an adequate solution to this problem. Chairman BAUCUS, along with this Senator, Senator CRAPO, Senator KYL, Senator ROBERTS, Senator SCHUMER of New York, and Senator SMITH last month introduced the Individual Alternative Minimum Tax Repeal Act.

We must repeal the AMT and we must do it without offsetting any revenue the AMT is expected to collect in the future. I have made this point before, but it is important. The alternative minimum tax was never intended to be a significant source of revenue. It was only meant to hit a few people who could legally avoid paying the tax with the idea that everybody living in America ought to pay a little bit of income tax for the privilege of benefiting from this great economy we have. Despite this, the alternative minimum tax will balloon revenues to historically high levels if something isn't done, as my colleagues can see right there on the chart.

If we consider the AMT to be a fundamentally unfair tax, any tax that would replace it would be equally unfair. Anyone who wants equity to be a fundamental value represented in our Tax Code and who wants fair treatment for this country's middle-class taxpayers must support my amendment for complete repeal of the individual income tax.

I filed an amendment that repeals the AMT. I am going to push this body to speak on this proposal for these reasons: We need to get Members who say they support AMT repeal to show their support for the record; second, to eliminate the mythical budgeting that results from assuming current levels of AMT revenues; third, to show the American people we will walk the walk on the AMT repeal and not just talk the talk.

I know some who oppose my amendment will argue two points: that there is \$180 billion in the budget for tax relief; and secondly, we can't afford the repeal of AMT.

As to the first point, the purpose of the Baucus amendment, which I supported yesterday, was to deal with less than half of the tax relief that expires in the year 2010. In a sense, Members have indicated where they want that money to go, and that revenue loss is built into the post-2010 period.

As to the second point, we can afford to repeal the AMT because revenues remain at or above record levels in the outyears with the AMT gone. Honest budgeting would recognize it as fictional in any event.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 583

Mr. KYL. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 583.

Mr. KYL. I ask that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 583

(Purpose: To reform the death tax by setting the exemption at \$5 million per estate, indexed for inflation, and the top death tax rate at no more than 35% beginning in 2010; to avoid subjecting an estimated 119,200 families, family businesses, and family farms to the death tax each and every year; to promote continued economic growth and job creation; and to make the enhanced teacher deduction permanent)

On page 3, line 11, decrease the amount by \$20,000,000.

On page 3, line 12, decrease the amount by \$388,000,000.

On page 3, line 13, decrease the amount by \$886,000,000.

On page 3, line 14, decrease the amount by \$17,390,000,000.

On page 3, line 15, decrease the amount by \$14,602,000,000.

On page 3, line 20, decrease the amount by \$20,000,000.

On page 3, line 21, decrease the amount by \$388,000,000.

On page 3, line 22, decrease the amount by \$886,000,000.

On page 3, line 23, decrease the amount by \$17,390,000,000.

On page 4, line 1, decrease the amount by \$14,602,000,000.

On page 4, line 7, increase the amount by \$10,000,000.

On page 4, line 8, increase the amount by \$40,000,000.

On page 4, line 9, increase the amount by \$472,000,000.

On page 4, line 10, increase the amount by \$1,246,000,000.

On page 4, line 16, increase the amount by \$10,000,000.

On page 4, line 17, increase the amount by \$40,000,000.

On page 4, line 18, increase the amount by \$472,000,000.

On page 4, line 19, increase the amount by \$1,246,000,000.

On page 4, line 24, increase the amount by \$20,000,000.

On page 4, line 25, increase the amount by \$398,000,000.

On page 5, line 1, increase the amount by \$926,000,000.

On page 5, line 2, increase the amount by \$17,862,000,000.

On page 5, line 3, increase the amount by \$15,848,000,000.

On page 5, line 7, increase the amount by \$20,000,000.

On page 5, line 8, increase the amount by \$418,000,000.

On page 5, line 9, increase the amount by \$1,345,000,000.

On page 5, line 10, increase the amount by \$19,207,000,000.

On page 5, line 11, increase the amount by \$35,054,000,000.

On page 5, line 15, increase the amount by \$20,000,000.

On page 5, line 16, increase the amount by \$418,000,000.

On page 5, line 17, increase the amount by \$1,345,000,000.

On page 5, line 18, increase the amount by \$19,207,000,000.

On page 5, line 19, increase the amount by \$35,054,000,000.

On page 25, line 16, increase the amount by \$10,000,000.

On page 25, line 17, increase the amount by \$10,000,000.

On page 25, line 20, increase the amount by \$40,000,000.

On page 25, line 21, increase the amount by \$40,000,000.

On page 25, line 24, increase the amount by \$472,000,000.

On page 25, line 25, increase the amount by \$472,000,000.

On page 26, line 3, increase the amount by \$1,246,000,000.

On page 26, line 4, increase the amount by \$1,246,000,000.

Mr. KYL. Madam President, let me discuss this amendment briefly. It is cosponsored by Senator THUNE from South Dakota. It is called the Kyl-Thune death tax reform amendment.

Yesterday we had a vote on an amendment that included several items, including death tax reform, and I believe some people might have voted against that because items in the bill included a continuation of the current rates for the capital gains tax and the tax on dividends. Because of that fact, we decided to make this basically a clean vote.

The only thing this bill deals with other than death tax reform is the continuation for teachers of the teacher tax deduction which we make permanent. This is the deduction that allows a teacher, when she pays or he pays for some items that are then taken to school to help the kids with their lessons, when they pay for those out of their own pocket—we think there should be a \$250 deduction to help defray the cost of those items. That is all that is in this amendment now.

This Kyl-Thune amendment provides room in the budget resolution to enact meaningful tax reform. Obviously, I still believe repeal of the death tax is the best option. We have been trying to find agreement on a permanent reform, because planning for death tax now is a nightmare for families, and it is a nightmare right now because of the way this law is being phased out and then comes back with a vengeance to its previous form. It is a bonanza for the insurance companies, to be sure, and they are leading the opposition to the death tax reform. But they are wrong.

As a matter of fact, when the lobbyists for the insurance industry came to my office to argue this, I said: Before you make your argument, let me ask you to assume for a moment we have found a way to eliminate death. Now, you represent the undertakers; go ahead and make your case. That is the case with the insurance companies. They are making a lot of money on the backs of people who have to spend money to plan against the death of the person in their family who runs the farm or has the small business.

There is a far better way to use all of that money that is spent each year on avoiding the tax or preparing to pay for it. As a matter of fact, what we have found is there is almost an equal amount of money that is spent complying with the avoidance costs as

there is in collection for the Government. Alicia Munnell, who was a member of President Clinton's Council of Economic Advisers, estimated the costs of complying with the estate tax laws are roughly the same as the revenue raised. The estate tax is expected to raise about \$28 billion in fiscal year 2006. If the estate tax generates a dollar in compliance costs for every dollar in revenue, then obviously the aggregate cost of the tax is about \$56 billion. The point is, for every dollar of revenue raised by the estate tax, another dollar is simply wasted to comply with or avoid the tax. Maybe I shouldn't say "wasted." It does go to the insurance companies. So let me strike "wasted."

But the bottom line is we can do better. What this amendment does is to allow the budget to accommodate estate tax reform. I didn't pick my bill, even though I happen to think it is the best reform bill; I took a bill that has been provided by the senior Senator from Louisiana and has been supported by people on the other side of the aisle such as the junior Senator from Arkansas. What the budget would do is accommodate that particular death tax reform. It could accommodate other death tax reform as well, so long as it was within the amount of money we have provided here. The amount of money in this amendment is a total of about \$32 billion over 5 years, and that needs to be added to the amount the Baucus amendment already provides for estate tax reform which would be a total of about \$61.7 billion over a 5-year period.

The bill that was provided or written by the senior Senator from Louisiana provides a \$5 million exemption indexed for inflation, which I think is a perfectly appropriate amount, a family business carve-out, which is very difficult to do legally, and a 35-percent top rate. That is where I differ, because 35 percent is still a very high top rate. It also recaptures the benefit of the \$5 million exemption for estates valued over \$100 million. The revenue provided for the death tax reform in the 5-year budget window is about \$31.7 billion, as I said. The teacher deduction is about another \$400 million, for a total of about \$32 billion.

As I said, the amendment is structured so when it is combined with the Baucus amendment approved yesterday, the total amount of revenue would be sufficient to accommodate the Landrieu reform bill. If you take both amendments together, the Baucus amendment and Kyl-Thune, as I said, the total amount is about \$61.7 billion, not offset with additional revenues. As a matter of fact, I don't believe existing law extensions—and, indeed, this is precisely what we would be talking about here—should have to be offset, particularly where they are actually provisions that enhance economic activity, just as extensions of existing mandatory spending need not be offset.

The amendment approved yesterday included an estate tax provision that

frankly I very strongly disagree with. In fact, some would say it is an insult to every family business or every family farm that is seeking relief. Not surprisingly, it is strongly endorsed by the insurance industry, because it provides for a 45-percent rate. Now, if you have a 45-percent rate, you are going to want to plan against that. You do not want to have to pay that rate on the estate that is left after your death. As a result, since the Government has taken about half your property above the exempt amount, you are going to want to plan against that. That is why I think we can do better than that, and this proposal does that.

Remember, the budget that has been proposed here allows increases on taxes on almost every single taxpayer, a total of about \$736 billion over 5 years, which is, I believe, about 3 times larger than the biggest tax increase ever enacted in our history. The amount adopted yesterday by the chairman of the Finance Committee took the budget out of balance. It created a deficit, in other words, of about \$6 billion in the year 2012. We believe the spending restraint we are capable of, combined with a very strong economy, will enable us to balance the budget by 2012 without increasing taxes.

Now, it is true the budget before us makes it impossible, because of the amount of spending in it, to balance the budget without a record level of tax increase. Unfortunately, that includes a confiscatory tax on thousands of American families. The budget resolutions don't dictate policy to the Finance Committee, but it would certainly be our intention to work with Senator LANDRIEU, Senator PRYOR, and Senator LINCOLN, who has been very much a leader in this area, and others to craft an estate tax reform proposal that would provide an exemption of at least \$5 million indexed for inflation and provide workable relief for the smallest estates and farms, and a top rate that is no higher than 35 percent—hopefully lower.

We believe that this can be accomplished and that, as a result, my colleagues who might have opposed this amendment yesterday because it included the capital gains and dividend tax rates should be in a position to support the resolution that will be voted on today because of the fact that it accommodates a proposal supported by Members of both the majority and minority. It will be voted on tomorrow; I misspoke. I would like to have it voted on today.

A couple of other items, and I see my colleague, the Senator from South Dakota is here. I want him to speak to this. There are a couple of misconceptions I wish to address. According to the Joint Tax Committee, the total number of estate tax returns projected for 2011 alone is 131,000. By 2015, about 177,000 estates will file tax returns in that year alone. These are the numbers for each year. Some people had the idea that these were the numbers over 5 or 10 years; no, this is for each year.

The first misconception is that it doesn't apply to that many people. An awful lot of people need to file these returns. Secondly, the death tax, similar to other taxes, is very sensitive with respect to economic growth. When businesses can put this money back into their business and create jobs, rather than pay the estate planning to insurance companies, it helps our economy as well as helping the business grow. An entrepreneur or an investor will have a very big disincentive to grow their business, regardless of the amount of the exemption, above that exempted amount if the tax rate imposed on new growth over and above the exemption is too high.

We can argue about what the tax rate ought to be. But I think almost everybody would agree the tax rate of 45 percent is confiscatory. What incentive does somebody have to grow his business beyond the exempt amount if the Government will take nearly half of everything over that exempt amount?

A couple of other points. We have historical evidence that the estate tax reduces capital stock in the U.S. economy. This is part of the reason we have grown so well in recent years, because of the downward projection on the estate tax and the hope that it will be eventually eliminated.

In a report by the Joint Economic Committee, they projected the estate tax reduced the stock of capital in the economy by approximately \$847 billion, or 3.8 percent, over the last 60 years. That is a ton of money. By comparison, it has raised, during that same period, less than that—only \$761 billion. So it has taken far more out of the private sector and hasn't added that much to the Government sector. This is money that could have been put to productive use.

I mentioned the fact that the avoidance costs are about equal to the take for the Government as well. That is another reason for this reform.

I will close with this point: Americans understand the rates now are confiscatory, that it is unfair; and even people who understand that they will never be subject to the estate tax appreciate its effect on others and understand it is an unfair tax. In a Gallup Poll from an April 2006, 58 percent of respondents said—and they called it the “inheritance tax” and didn't use the words “death tax.” They said the inheritance tax is unfair, and this confirms results of polls taken in both previous years. It is always called “the most unfair tax” when you list it among all the other taxes.

What is interesting about the Gallup Poll is that even though it was taken in April while Americans were filing their taxes, the death tax was called unfair—or the “inheritance tax”—by more people than the despised alternative minimum tax that was discussed by the ranking member of the Finance Committee. Only 42 percent of respondents said the AMT was unfair. Yet it is affecting a lot more people

than the estate tax. One reason people say it is unfair is because of the confiscatory rate, which is 46 percent this year. In the 2005 poll, when the rate was 47 percent, 81 percent of respondents said the estate tax is “an extreme form of taxation” and that the rate was unfair.

Finally, I note—and this was interesting to me as somebody who has studied politics a little bit—after the last election in the exit polls, voters were asked whether they thought the death tax was somewhat unfair or very unfair. They were broken into Kerry voters and Bush voters. Not unsurprisingly, 89 percent of Bush voters believed the death tax is somewhat unfair or very unfair. But 71 percent of Kerry voters also found the death tax at least somewhat unfair or very unfair.

So this is a view shared by most Americans of all political stripes, and it is time for us to reform the death tax, if not repeal it.

What we have done with this amendment—the Kyl-Thune amendment—is accommodate that reform in the budget. I hope my colleagues, when we have an opportunity to vote on it, will support it. I want the Senator from South Dakota to speak, but I would like a minute at the conclusion to talk about the support also coming not just from other small business organizations but from minority business organizations and others, to demonstrate the breadth of support around the country for reform of this very unfair tax.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Through no fault of the Senator from Arizona, we are actually into my time on his amendment. As I said to the Senator from Arizona, I am prepared to yield some of my time so that some of his other speakers have a chance. Also, I don't want to completely give away my time because I need to respond. Maybe we can work out an agreement so that those people who are here can speak, and I would like to have 10 minutes. I was supposed to have a half hour, but I would like to retain at least 10 minutes.

Senator GRASSLEY indicated he would like a minute. He is not here at the moment, so perhaps we can go to Senator THUNE. We have 22 minutes. If I am to retain 10, that leaves 12 minutes. I don't know how the Senator wants to divvy up that time.

Mr. KYL. I appreciate the courtesy of the chairman of the committee. If Senator GRASSLEY takes a minute, and we have three other Senators who take 4 minutes, that gives me a minute to say thank you and that would do it. I propose that as a unanimous consent request.

Mr. CONRAD. Can we identify the Senators? Senator GRASSLEY for a minute, Senator THUNE for 4 minutes, Senator DEMINT for 4 minutes, and Senator GRAHAM for 4 minutes, and a minute to Senator KYL. That would leave me 8 minutes. That is fair enough.



Mr. KYL. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, I thank the Senator from North Dakota for accommodating us. I thank the Senator from Arizona for his leadership on this issue. I have supported his efforts for some time to get rid of the death tax. I have supported getting rid of this unfair tax going back to my days as a Member of the House of Representatives.

Last year, I came down to the Senate floor and gave examples of real-life family farms that are facing the effects of the death tax. I wanted to remind Senators of two of those family farms. I think sometimes it gets lost. We think we are dealing with these concepts in the abstract, but they affect real people. These stories are real, and the effect of the tax is real as well.

The first example is a 3,000-acre family farm operation in central South Dakota. In my State, that is a medium-sized operation. A death occurred in this family and, as a result, \$750,000 will likely be paid in taxes. This is a huge amount of money for a farm operation in my State, where land values can make an operation look a lot more valuable on paper than they are in reality.

In other words, farmers such as this can often be described as "land rich" but "cash poor." All their value is in the land. When a massive death tax bill comes due, the only option is often to sell the land to pay the unfair and unjust tax. Thus, a family legacy comes to an end.

The second example is a 10,000-acre operation in north central South Dakota. Similar to so many farms and ranches in my State, the parents who have run the place for decades are getting older. Their kids would like to continue in the business, but the death tax on that farm would likely be \$1.5 million. That would make it virtually impossible for the kids to stay on the farm and keep that family farm operation going. I find it extremely disturbing that our Federal Tax Code could influence a family's ability to keep their family farm from being broken up and sold off.

The budget resolution is more than a list of numbers. It is a statement of our priorities. These priorities are going to impact real people. I believe our budget should show we are prioritizing family farms, family ranches, and small businesses. We can show that these family small businesses are a priority by making room in the budget for permanent, meaningful death tax reform.

The death tax is a completely unfair tax because Americans pay their fair share of taxes throughout their life on what they earn, what they own, what they buy, only to see the IRS take one last bite when they die.

It is also unfair because the Donald Trumps and Paris Hiltons of the world

have teams of lawyers and accountants to make sure they pay little or no death tax. But the family-owned operations and small businesses I talked about are the ones that end up paying.

It is for these reasons that Congress acted a few years ago to repeal the death tax, but because of some strange rules that can only be devised in a place such as the Senate, the death tax comes back to life in the year 2011.

I believe we need to enact permanent, meaningful death tax reform this year. This amendment takes us down that path. I hope my colleagues on both sides will support it. I credit the Senator from Arizona for drafting this in a way that is consistent with the proposal offered last year by a colleague on the other side. I hope Members on both sides can support this, and I hope, once and for all, we will get rid of this unfair and unjust tax.

I yield back whatever time I have.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Madam President, I rise to speak in support of Senator KYL's amendment. A few years ago, Congress did something that was very helpful to America. We voted to completely phase out the death tax. I think we have discovered in the debate that this is not about just rich people, it is about people who own small businesses and small farms. I had a number of examples to give, but we are short on time. There is one family that had a printing business for 97 years; they have already paid the death tax once. They are getting ready to pay it again. We have the opportunity to change that.

Now that we have voted to phase this out, it is not fair that in 2010, if a small business owner dies, that person can leave their family their entire business without any estate taxes; but if that same person died in 2011, they could lose up to half their estate. We don't need for this to happen. I certainly support Senator KYL's compromise idea. But tomorrow I will call up amendment No. 576—I will not call it up today—which will completely eliminate the death tax for another 5 years. So that what happens in 2010 will continue to 2015. I hope all my colleagues will consider this and do the right thing for small businesses and farms.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Madam President, we had the same discussion yesterday when Senator KYL made a very articulate argument as to why we as a Congress need to act, and this budget is a good opportunity to act, to get the death tax resolved in a way that will allow people to plan for their families and their businesses.

America is in a terrible spot. If you die New Year's Eve 2010, right now, there is no estate tax liability for those who die on that day. If you live until January 1, 2011, unless we act, the estate tax comes back in full force. That

is an unconscionable place to put the American public. Total repeal is apparently not possible. I would love to do that.

Senator KYL's proposal would allow us to buy some more time. He has taken a Democratic proposal—about a \$5 million exemption and a 35-percent top rate—to see if we can get the body to allow it within our budget resolution to accommodate the extension of the death tax on those terms.

My good friend from North Dakota, who is a joy to work with, is very concerned about the debt, and he should be concerned about it. But when you talk about the tax cuts and tax relief that we provided in the capital gains area and dividends area, I would argue that the revenue being generated to this Government is on par with historical averages, that the Government is not being deprived of revenue, that the tax cuts since 2003 have helped keep this economy humming, and that we are getting a lot of revenue because we cut taxes. And if we raise taxes or we take the extenders off the table, which this budget will do unless we change it, then we are going to cripple an economy that has created a lot of jobs and make ourselves less competitive.

The death tax side is what kind of society we want. There has been a budget submitted by the President that is balanced, that has an extension of the death tax—under OMB, I think it is \$50 billion out of balance 5 years from now—but you can accommodate these tax provisions and balance the budget.

I urge my colleagues, if we don't do this now before the end of this year, sooner rather than later, let's see if we can come together as a body to come up with a compromise on the death tax that will give Americans the certainty they need when it comes to planning their affairs and come up with a compromise that will reward those who have done well, who have worked hard, and they can leave their money behind to their families and their communities rather than it all be sent to Washington or a lot of it be sent to Washington and people they don't know.

I think Senator KYL's amendment is a great opportunity for this body to address a real problem, a growing problem, and that is the fact that no one in America can with certainty plan for their demise and take care of their family because the Congress is refusing to act in a responsible manner. This amendment will help solve that problem.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, the Senator has accurately described a situation that makes no earthly sense with respect to the estate tax. There is no death tax in America. There is none. There is an estate tax that applies to estates of over a certain value. Right now, less than 1 percent of estates are affected. By the time we get to 2009, in

which the exemption level will rise to \$3.5 million per person—so a couple with \$7 million in an estate, anything below \$7 million will pay absolutely nothing—it will be down to three-tenths of 1 percent of estates paying any tax.

Then we have this truly bizarre situation in which the next year, the estate tax is repealed in 2010, and then in 2011 it snaps back and the exemption, instead of the \$3.5 million we had in 2009, falls to \$1 million.

The amendment by Senator BAUCUS that was adopted yesterday prevents the amount of the estate tax exemption from shrinking to \$1 million per person. He at least puts a floor and says it will not drop below the \$3.5 million, and that \$3.5 million will be adjusted for inflation.

He also had the extension of the middle-class tax cuts—the marriage penalty relief, the 10-percent bracket, the childcare credit. That left us with no money left in 2012.

The problem with the amendment that is now offered by our colleague from Arizona, Senator KYL, is that it is not paid for. That is the problem. It puts us back into deficit in 2012. Here we have spent all this time and all this work digging out of the deficit ditch, and this amendment puts us right back in, to the tune of about a \$16 billion deficit in 2012.

We have had speeches all week about how important it was to show some fiscal discipline and to stop deficit spending, to balance the books, to balance the budget. We are there. We have a budget now that is balanced in 2012. But this amendment offered by Senator KYL, as meritorious as it may be in the eyes of some colleagues, as high a priority as they have said it is, wasn't a sufficiently high priority for them to pay for it. It wasn't of enough importance for them to offer the offsets, whether it is spending offsets or revenue offsets, to cover the cost. The result is they have put us back into deficit in 2012.

For that reason, I will strenuously oppose the Kyl amendment, and I give notice to colleagues that, I am told, there will be an alternative to accomplish much the same purpose, but one that is paid for, and I understand that will be offered tomorrow when this amendment is voted on.

We have had hours and hours of speeches on the floor about the need to address the fiscal condition of the country, about the need to first balance the budget and then deal with the long-term entitlement challenges.

Look, this is going the other way. This is going the other way. This is additional loss of tax revenue without any offset, without any replacement, either in spending cuts or alternative revenue. So what it does is balloons the debt by over \$30 billion and puts the budget of 2012 back into deficit. That would be a mistake.

I reserve the remainder of my time.

I yield 3 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I rise also to oppose this amendment. The first point that comes to mind for me is, here they go again. I say that with all due respect to my friend from Arizona. But we are seeing more, as the Budget chairman has said, of the strategy that got us into the hole that this budget is trying to dig us out of.

It is important to emphasize again what the Budget chairman has said. Here is what has happened in terms of numbers of estates that even qualified as taxable estates back in 2000. It was 50,000. It has dropped to 13,000, and as of 2009, it will be 7,000 estates in the entire country that will even qualify for this tax.

How much is that? We are talking about only .2 percent of estates, 7,000. The Baucus amendment that we adopted yesterday says that for those, it is not going to change. That number is not going to go back up. There will be a continuation of the current exemption level. So we are talking about .2 percent of the estates being taxed.

I think almost without exception—I can't speak for every colleague on the Senate floor, but I know on this side of the aisle, colleagues are very sympathetic and support our family farmers. I have a lot of them in my State, and I know you do, Madam President, in your State as well, small businesses, family-owned businesses. They build up the business, and they want to be able to pass that business on. With great pride, the families are engaged and involved. We are not interested in seeing anybody lose their family farm or their family business. That is why we have supported extending the exemptions so that less than .2 percent of estates are taxed or eligible to be taxed.

Frankly, there have been some of us on this side of the aisle who have had amendments over the years—I have co-sponsored amendments—that would exempt family-owned enterprises. If that is what people want to do, I think there would be a lot of interest in doing something like that.

But I think behind all the talk of our family farmers and small businesses is another picture of a few extremely wealthy families in this country whose children or aunts, uncles, sisters, brothers—someone may benefit through an inheritance. They may have not contributed at all to building that wealth and may never have to work a day in their life or contribute to this country. The question is, Should they have to contribute in some way with the only tax, for instance, they might pay is the estate tax?

I see my time is coming to a close. I want to share one more chart. What we are concerned about, what I am concerned about, is the fact that last year, the tax cuts that have already been given have already disproportionately affected the very wealthy, the most blessed people in this country. Anyone earning more than \$1 million a year

last year, in 2006, had a tax cut of over \$118,000, which is more than what the average person in Michigan or anyone in this country makes in a year.

So what we are objecting to is this is not helping family farmers and small businesses. This is about a tax system and a series of tax cuts that are out of whack that have created the situation where, if you are working hard every day on that family farm, in that small business, or if you are working every day building great American automobiles, such as a lot of folks in my State, you didn't see any tax cut or not much of a tax cut. But if you are somebody who would benefit in that top .2 percent who gets the estate tax cut we are talking about, you are already being given some pretty big gifts from the current tax system.

I urge a "no" vote.

Mr. GRASSLEY. Madam President, this budget proposal does not allow the Senate to address the unfair burden of the death tax. By 2011, the tax will affect all farms and businesses worth more than \$1 million at a tax rate as high as 55 percent. In the State of Iowa alone, according to the USDA, we have more than 20,000 farms worth more than \$1 million. Those families may be land rich, but they are cash poor, and they have to spend too much money today to plan on how to survive the unfair death tax. These are not big farms. With land prices today, you can have as few as 350 acres in Iowa to have a million dollars in value.

If the Senate fails to put money in the budget today and we leave the death tax in place in its punitive form, our failure to amend this budget will create the economic uncertainty that could dismantle our farms and small businesses in rural America. I will be voting "yes" on the Kyl amendment. It puts money in the budget. It is the responsible thing to do.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, if I may take 1 minute to make two quick points. I note that the chart of the Senator from Michigan uses the figures for the last year of the Bush tax cuts to show in the very best light the impact of reductions of a number of estates that pay the estate tax. It is a fairly low number, a relatively low number, and it will continue to be low if Republicans have their way.

Unfortunately, the next 2 years, years after which the Bush tax cuts expire, in the year 2011, the number goes back up to 131,000 and in the year 2015, according to the Joint Tax Committee, nearly 177,000 estates will file estate tax returns.

The second point is that the bottom line is that the 1 year cited by the Senator from Michigan does get down to a fairly low number because of the Republican tax cuts. Then they expire, and the number shoots back up.

The only other point I wish to make is our budget amendment is designed to accommodate a bill offered by the senior Senator from Louisiana which was

not offset at all because those of us who support reform of the death tax appreciate its significance in the lives of Americans and the priority to eliminate or to reduce that tax.

Ms. STABENOW. Madam President, will my friend yield for a question?

Mr. KYL. I suspect I am out of time, but I am happy to yield.

Mr. CONRAD. What is the time situation?

The PRESIDING OFFICER. The Senator from Arizona has 3 minutes 34 seconds.

Mr. KYL. Off your time.

The PRESIDING OFFICER. The Senator from North Dakota has no time remaining.

Mr. CONRAD. No, no, no. Somehow the timekeeping is not correct. I think the Senator had 1 minute remaining, which I think he has used.

Mr. KYL. Madam President, I think that is correct.

The PRESIDING OFFICER. We are looking at the time clocks. You both seem to agree, so that is fine.

Mr. CONRAD. Madam President, let me conclude on this matter.

First, I thank Senator KYL. Second, let me make clear, the reason the estate tax is going to run out is because of the Bush tax cuts. The Bush tax cuts, as passed by the Congress, led to this bizarre situation where it is a \$3.5 million exemption in 2009, and then it is fully repealed in 2010. Then it goes to \$1 million a person in 2011. That was the action of the Republican Congress in conjunction with the Bush administration. They are the ones who created this problem.

We adopted, as part of this resolution, the Baucus amendment yesterday that will prevent in 2011 the exemption from falling to \$1 million a person and will instead keep it at \$3.5 million per person, which means \$7 million for a couple can be shielded without paying any taxes. That is indexed for inflation. So just in terms of who did what, the fact is, the Republican Congress is the one that constructed this bizarre circumstance in which the estate tax is repealed in 2010 and then comes back in 2011 with only \$1 million per person shielded.

Let me conclude by saying this: Look, the problem with this amendment, they say it is a priority, but they have no money to pay for it. The result is that we are faced with a circumstance in which it all gets added to the deficit and the debt.

We addressed this in the Baucus amendment yesterday, the problem with the estate tax, but this amendment is not paid for. This amendment will take us back into deficit in 2012.

Mr. CONRAD. Madam President, I see that the Senator from Indiana is on the Senate floor. He has the time at 4 p.m. under his control. I wish to thank the Senator from Indiana for his graciousness in accepting a change in the time. We had earlier told him he would be up for 3 p.m., and he very graciously accepted this change to 4 p.m., which I appreciate very much.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Madam President, first, let me say to my colleague that I have learned over the years that flexibility is an important attribute around the Senate. Punctuality is, on the other hand, too rare, so I am glad we could combine both today.

AMENDMENT NO. 526

Madam President, I call up amendment No. 526, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Indiana [Mr. BAYH], for himself, and Ms. SNOWE, proposes an amendment numbered 526.

Mr. BAYH. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Makes permanent the tuition tax deduction and is fully offset by closing a portion of the tax gap through enhanced information reporting requirements)

On page 3, line 11, decrease the amount by \$120,000,000.

On page 3, line 12, decrease the amount by \$776,000,000.

On page 3, line 13, decrease the amount by \$178,000,000.

On page 3, line 14, increase the amount by \$349,000,000.

On page 3, line 15, increase the amount by \$742,000,000.

On page 3, line 20, decrease the amount by \$120,000,000.

On page 3, line 21, decrease the amount by \$776,000,000.

On page 3, line 22, decrease the amount by \$178,000,000.

On page 3, line 23, increase the amount by \$349,000,000.

On page 4, line 1, increase the amount by \$742,000,000.

On page 4, line 24, increase the amount by \$120,000,000.

On page 4, line 25, increase the amount by \$776,000,000.

On page 5, line 1, increase the amount by \$178,000,000.

On page 5, line 2, decrease the amount by \$349,000,000.

On page 5, line 3, decrease the amount by \$742,000,000.

On page 5, line 7, increase the amount by \$120,000,000.

On page 5, line 8, increase the amount by \$896,000,000.

On page 5, line 9, increase the amount by \$1,074,000,000.

On page 5, line 10, increase the amount by \$725,000,000.

On page 5, line 11, decrease the amount by \$17,000,000.

On page 5, line 15, increase the amount by \$120,000,000.

On page 5, line 16, increase the amount by \$896,000,000.

On page 5, line 17, increase the amount by \$1,074,000,000.

On page 5, line 18, increase the amount by \$725,000,000.

On page 5, line 19, decrease the amount by \$17,000,000.

Mr. BAYH. Madam President, as you and I have discussed just as recently as today, the cost of a college education is

an increasingly important challenge to middle-class families across Minnesota, Indiana, and the rest of our country. Unfortunately, it is a challenge that too many families today cannot meet, but it is an important one that we equip them to meet.

For example, 80 percent of the new jobs that will be created over the next decade are estimated to require some level of higher education. The estimates also show us that a college graduate can expect to make fully 75 percent more than someone with only a high school diploma. Yet the escalating cost of a college degree is putting it beyond the ability of middle-class families to afford.

Just as an example, over the past 4 years alone the cost of a private college education has gone up 28 percent. Over that same period of time, the cost of a 4-year public university has gone up 55 percent. Regrettably, this will, the estimates show, lead 4.4 million qualified students across our country to give up their dream of pursuing a college education. That is simply not right, and we need to do something about it. Today, we have that opportunity.

If we don't act, the college tuition deduction currently in place will expire at the end of next year, making matters even worse than they are today. We can't let that happen. We must act now. Congress acted so late last year to extend the college deduction another year that the IRS was unable to include it on this year's tax forms, meaning that possibly tens of thousands of American families and students who qualified for the credit will get out their tax form, not see it there, and not get the relief to which they are entitled. We have to do better than that, and under our amendment we will.

Our amendment will make permanent the \$4,000 deduction for college tuition and fees, and it is flexible, applying to both undergraduates, 4-year institutions, as well as 2-year institutions. It is squarely targeted at the middle class. Individuals making up to \$65,000 a year and families making up to \$130,000 a year will qualify for the full \$4,000 deduction. Individuals making up to \$80,000 a year and families making up to \$160,000 a year will qualify for up to \$2,000 in assistance.

It is also fully paid for. It will cost \$5.6 billion over the next 5 years, but it is offset by a variety of provisions to close the tax gap included in the President's budget. So it meets a pressing national need facing our middle class, but it does so in a way that is fiscally responsible.

In conclusion, at a time when too many of our middle class are asking who in Washington speaks for them, at a time when they realize full well that the wealthy can take care of themselves and that we have many programs targeted to the less fortunate but nothing really targeted for the middle class, this effort squarely meets a major challenge confronting middle-

class families and says to them that we speak for their concerns as well.

At a time when too many of our citizens are saying that Washington is irrelevant, that there is too much political fighting and partisanship and procedural bickering, and all that kind of stuff, this is something that speaks directly to one of their major concerns, and it is about time we did something about it. Today, we have that opportunity.

I thank all those who have helped bring us to this moment. One of our colleagues, Senator SCHUMER, has been a relentless champion of making college more affordable for middle-class families for many years now. We wouldn't be here without his leadership. I thank also Senator SNOWE, who is the principal cosponsor of this legislation, and I know full well of your personal concern about this as well, Madam President.

So Democrats and Republicans alike, this is something we can work on together, make the government relevant, help the middle class, and do it in a fiscally responsible way. I urge its adoption.

Madam President, I yield the floor.

Mr. GREGG. Madam President, what is the Senator's offset for this? As I understand it, it is money selected from the tax gap; is that correct?

Mr. BAYH. That is correct.

Mr. GREGG. Well, obviously, I agree with the Senator's initiative relative to the education tax credit. That was in the original Bush tax cuts, which have done so much good for this economy and for people who have benefitted from them, and tuition tax credits is a big part of that benefit. People going to college are more readily able to afford it as a result of the President putting that in his plan, and I think we should extend it.

I regret that the amendment we offered earlier, which did extend it, was voted down, the Kyl amendment. The Senator has now come forward with a rifle shot on this item. The tax gap is an illusory number. It doesn't exist. We have already more than used it. It has sort of gotten to be like Customs fees around here, where a few years ago they just kept getting used over and over again.

As a practical matter, however, we are certainly going to be supportive of this proposal, and if the Senator doesn't need a vote on it, we will take a voice vote.

Mr. CONRAD. Madam President, I would inquire of the Senator, would he be willing to take a voice vote?

Mr. BAYH. I would.

Mr. CONRAD. Madam President, I ask unanimous consent that we go to a voice vote on the Bayh amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 526.

The amendment (No. 526) was agreed to.

Mr. CONRAD. Madam President, I move to reconsider the vote.

Mr. GREGG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Madam President, I thank the Senator from Indiana. I thank him for working with us to get this amendment worked out, and I want to also thank my colleague, the ranking member of the committee, for his cooperation once again.

We now are prepared to start voting, are we not?

Mr. GREGG. I was going to suggest, Madam President, that if the chairman was ready, we should start voting now. Why wait?

Mr. CONRAD. Madam President, let me note that we might need to get an agreement on how we proceed. However, I think we should put colleagues on notice that very shortly we are going to start voting.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 545, AS MODIFIED

Mr. CONRAD. Madam President, I ask unanimous consent that the Sanders amendment, No. 545, be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 3, line 11, increase the amount by \$10,300,000,000.

On page 3, line 12, increase the amount by \$14,600,000,000.

On page 3, line 13, increase the amount by \$14,800,000,000.

On page 3, line 14, increase the amount by \$4,500,000,000.

On page 3, line 20, increase the amount by \$10,300,000,000.

On page 3, line 21, increase the amount by \$14,600,000,000.

On page 3, line 22, increase the amount by \$14,800,000,000.

On page 3, line 23, increase the amount by \$4,500,000,000.

On page 4, line 6, increase the amount by \$10,300,000,000.

On page 4, line 7, increase the amount by \$14,600,000,000.

On page 4, line 8, increase the amount by \$14,800,000,000.

On page 4, line 9, increase the amount by \$4,500,000,000.

On page 4, line 15, increase the amount by \$10,300,000,000.

On page 4, line 16, increase the amount by \$14,600,000,000.

On page 4, line 17, increase the amount by \$14,800,000,000.

On page 4, line 18 increase the amount by \$4,500,000,000.

On page 4, line 8, increase the amount by \$14,800,000,000.

On page 4, line 9, increase the amount by \$4,500,000,000.

On page 4, line 15, increase the amount by \$10,300,000,000.

On page 4, line 16, increase the amount by \$14,600,000,000.

On page 4, line 17, increase the amount by \$14,800,000,000.

On page 4, line 18, increase the amount by \$4,500,000,000.

On page 17, line 12, increase the amount by \$10,300,000,000.

On page 17, line 13, increase the amount by \$10,300,000,000.

On page 17, line 16, increase the amount by \$14,600,000,000.

On page 17, line 17, increase the amount by \$14,600,000,000.

On page 17, line 20, increase the amount by \$14,800,000,000.

On page 17, line 21, increase the amount by \$14,800,000,000.

On page 17, line 24, increase the amount by \$4,500,000,000.

On page 17, line 25, increase the amount by \$4,500,000,000.

Mr. CONRAD. Madam President, I ask unanimous consent that we proceed to vote in relation to the following amendments in the order listed; that there be 2 minutes equally divided prior to each vote; and that after the first vote, time be limited to 10 minutes on each succeeding vote, with no second-degree amendments in order to any of the amendments covered under this agreement, except where we might have a side-by-side, as indicated.

The first amendment would be the Hutchison amendment No. 517, as modified; the second amendment would be the Ensign amendment No. 472; the third amendment would be the Sanders amendment No. 545, as modified; and the fourth amendment would be the Enzi amendment No. 497.

Mr. GREGG. Reserving the right to object, and I don't expect to object, but I want to be sure Senator HUTCHISON has signed off on the modification.

Mrs. HUTCHISON. I have.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and, it is so ordered.

Mr. CONRAD. Madam President, let's do this. The Hutchison amendment we don't have at the desk as modified, so we need to revise the unanimous consent to make the Ensign amendment No. 472 the first amendment in the tranche to be voted on, then going to the Sanders amendment, and then the Enzi amendment. Hopefully, momentarily, we will have worked out getting the Hutchison amendment, as modified, to the desk.

So that would mean we would first proceed to the Ensign amendment, and I notice that Senator ENSIGN is here.

The PRESIDING OFFICER. Is there objection to the plan, as modified?

The Chair hears none, and it is so ordered.

The Senator from Texas is recognized.

#### AMENDMENT NO. 517, AS MODIFIED

Mrs. HUTCHISON. Madam President, I have the modification to my amendment, and I would send it to the desk and ask that it be the replacement for my amendment.

Madam President, we can have a vote on my amendment or we can have a voice vote, at the pleasure of the chairman.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR  
EXTENSION OF THE DEDUCTION  
FOR STATE AND LOCAL SALES  
TAXES.**

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would provide for extension of the deduction for State and local sales taxes, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

Mr. CONRAD. Madam President, I will modify the unanimous consent request so that we go immediately to the Hutchison amendment on a voice vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 517.

The amendment (No. 517), as modified, was agreed to.

Mr. CONRAD. Madam President, I would like to at this moment thank the gentlewoman from Texas for working with us to get this amendment modified. It was very helpful to the work of the committee. We appreciate very much her cooperation.

Mrs. HUTCHISON. Madam President, I would say to the distinguished chairman that I appreciate his willingness to work with us. It is a very important amendment to eight States in this country. Senator CANTWELL was very much a part of the whole negotiation, and I commend her and her staff for helping us to do this, and I appreciate the fact that it has passed and is now a part of the budget. I would also like to thank the other cosponsors of this amendment, Senator CORNYN, Senator ENZI, Senator MURKOWSKI, Senator CORKER, Senator ALEXANDER, and Senator ENSIGN.

Mr. CONRAD. Madam President, I, too, thank Senator CANTWELL. She was very helpful to us in getting this so that we didn't have to have a vote and so the amendment could be adopted. I thank the two Senators.

**AMENDMENT NO. 472**

We now proceed to the Ensign amendment.

Mr. GREGG. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered. Is there a sufficient second?

There appears to be a sufficient second.

Who yields time?

Mr. ENSIGN. Madam President, am I correct, there is 1 minute on each side?

The PRESIDING OFFICER. The Senator is correct. There is 1 minute on each side.

Mr. ENSIGN. Madam President, very simply, this amendment is the same as the means testing on Part B. Part D of

Medicare seniors never paid for during their lifetime. This is a brand new entitlement, something they never paid for. We are asking the younger workers to pay basically for millionaires to be able to get prescription drugs. What my amendment says is we should means test those so wealthier seniors will have to pay more of their fair share for prescription drugs. That is very simply what this amendment does.

I think 59 Senators voted before to make sure Part B was means tested—once again, a benefit they never paid for. This amendment does the same thing for Medicare Part D. Let's not ask a schoolteacher or a firefighter to pay for millionaires to have prescription drugs. Let's do something fiscally responsible and call on the Finance Committee to enact this very important amendment to the prescription drug program.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, this amendment fails to distinguish between Part B premium and Part D. This amendment calls for means testing Part D. What does that honestly mean? It will create massive confusion among seniors. Why? The Government sets the Part B premium. The private sector sets the Part D drug premium. There are 1,500 plans and each of them is different. Some premiums are a few dollars, some are \$100.

You think seniors were confused with Part D when it first came out? That is a picnic compared to the confusion this amendment is going to create. Think of all the confusion the seniors are going to have to face, trying to figure out is their premium means tested compared to their friends' premium next door? This is massively complex for seniors. There is so much confusion for seniors that the amendment should not be agreed to.

I urge Senators to vote against this confusion.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 472. The yeas and nays have been ordered and the clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 93 Leg.]

**YEAS—44**

Alexander	Crapo	Lugar
Allard	DeMint	Martinez
Bennett	Dole	McConnell
Bond	Domenici	Murkowski
Brownback	Ensign	Roberts
Bunning	Enzi	Sessions
Burr	Graham	Shelby
Chambliss	Grassley	Stevens
Coburn	Gregg	Sununu
Cochran	Hagel	Thomas
Coleman	Hatch	Thune
Collins	Hutchison	Vitter
Corker	Isakson	Voinovich
Cornyn	Kyl	Warner
Craig	Lott	

**NAYS—52**

Akaka	Harkin	Obama
Baucus	Inouye	Pryor
Bayh	Kennedy	Reed
Bingaman	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown	Kohl	Salazar
Byrd	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Smith
Carper	Levin	Snowe
Casey	Lieberman	Specter
Clinton	Lincoln	Stabenow
Conrad	McCaskill	Tester
Dodd	Menendez	Webb
Dorgan	Mikulski	Whitehouse
Durbin	Murray	Wyden
Feingold	Nelson (FL)	
Feinstein	Nelson (NE)	

**NOT VOTING—4**

Biden	Johnson
Inhofe	McCain

The amendment (No. 472) was rejected.

**AMENDMENT NO. 545, AS MODIFIED**

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on amendment No. 545, as modified.

The Senator from Vermont.

Mr. SANDERS. Madam President, in 1975, Congress made a promise to provide 40 percent of the funding for special education. Congress has not kept that promise on that unfunded mandate. Today, we are providing a little over 17 percent of the costs of special education, and that percentage has gone down over the last 3 years. The result is higher and higher property taxes for the middle-class and working families of our country.

This amendment is very simple. It rescinds the 2001 personal income tax reduction that was given to people with at least \$1 million in income—the wealthiest three-tenths of 1 percent of the population—and puts the \$44 billion raised over 5 years into special education.

Madam President, 99.7 percent of Americans would see no increase in their Federal taxes from this amendment. But it would lower property taxes for millions of middle-class and working families, improve the quality of education and, most importantly, keep the promise made to school districts all over this country.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, in a bill which is already a big-spending, big-tax bill, this would supersize the tax element of the bill. This is sort of like when you go into McDonald's, you

can order a regular, a large, or a super size. This is a supersized tax increase, \$44 billion of new taxes, and 83 percent of the people who are going to pay it are small businesspeople, small businesspeople across this country.

We have done a great—not a great job; we have done a strong job in the area of IDEA. This administration has had larger increases in IDEA spending than any administration in history, dramatic increases. We still need to go further, but you do not go further by increasing taxes by \$44 billion on America's workers.

I hope we will vote down this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 545, as modified.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 58, as follows:

[Rollcall Vote No. 94 Leg.]

#### YEAS—38

Akaka	Feingold	Menendez
Bayh	Feinstein	Mikulski
Bingaman	Harkin	Murray
Boxer	Inouye	Obama
Brown	Kennedy	Pryor
Byrd	Kerry	Reed
Cardin	Klobuchar	Reid
Casey	Kohl	Rockefeller
Clinton	Lautenberg	Sanders
Conrad	Leahy	Schumer
Dodd	Levin	Stabenow
Dorgan	Lieberman	Whitehouse
Durbin	McCaskill	

#### NAYS—58

Alexander	Dole	Nelson (NE)
Allard	Domenici	Roberts
Baucus	Ensign	Salazar
Bennett	Enzi	Sessions
Bond	Graham	Shelby
Brownback	Grassley	Smith
Bunning	Gregg	Snowe
Burr	Hagel	Specter
Cantwell	Hatch	Stevens
Carper	Hutchison	Sununu
Chambliss	Isakson	Tester
Coburn	Kyl	Thomas
Cochran	Landrieu	Thune
Coleman	Lincoln	Vitter
Collins	Lott	Voinovich
Corker	Lugar	Warner
Cornyn	Martinez	Webb
Craig	McConnell	Wyden
Crapo	Murkowski	
DeMint	Nelson (FL)	

#### NOT VOTING—4

Biden	Johnson
Inhofe	McCain

The amendment (No. 545), as modified, was rejected.

Mr. GREGG. I move to reconsider the vote.

Mr. ENZI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 497

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on amendment No. 497.

The Senator from Wyoming.

Mr. ENZI. Madam President, my amendment is very simple. It establishes a 60-vote threshold for legislation that imposes an unfunded mandate on small businesses which exceeds \$131 million, as determined by the Small Business Administration.

We do it for municipalities. We do it for States. We do it for tribes. We do not do it for small businesses. Small businesses make up 99.7 percent of all U.S. employers and employ 50 percent of the Nation's nonfarm private sector workers. We have an obligation to make sure laws written in Washington do not unfairly burden Main Street.

Now, checking back, I found that bills that adversely affect small business usually get hung up on cloture, which is a form of point of order but a very lengthy one. The ones that take care of small business frequently get a huge vote.

Now, it is possible to mention there will be things coming up, such as mental health parity—I am a cosponsor on that one; I can assure you that is one where small business will not be given a bad deal—the Department of Defense. We can override any waiver. In this body, it takes 60 votes to do cloture. This will speed up the process.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, this amendment is absolutely well intended, but it will create unintended consequences. This will give the Budget Committee authority over nonbudgetary matters. This amendment, if it were adopted, would create a supermajority point of order against Senator DOMENICI's mental health parity bill. It would give a supermajority point of order against the Defense authorization bill. It would give a supermajority point of order against the minimum wage bill, against bankruptcy reform, against pension reform.

This amendment should not be adopted. I urge my colleagues to vote no.

Mr. ENZI. Madam President, do I have time remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 497.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 49, as follows:

[Rollcall Vote No. 95 Leg.]

#### YEAS—47

Alexander	DeMint	McConnell
Allard	Dole	Murkowski
Bennett	Domenici	Nelson (NE)
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Chambliss	Gregg	Snowe
Coburn	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Isakson	Thomas
Corker	Kyl	Thune
Cornyn	Lott	Vitter
Craig	Lugar	Warner
Crapo	Martinez	

#### NAYS—49

Akaka	Feinstein	Nelson (FL)
Baucus	Harkin	Obama
Bayh	Inouye	Pryor
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Stabenow
Casey	Levin	Tester
Clinton	Lieberman	Voinovich
Conrad	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Mikulski	
Feingold	Murray	

#### NOT VOTING—4

Biden	Johnson
Inhofe	McCain

The amendment (No. 497) was rejected.

Mr. CONRAD. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 498

Mr. CONRAD. Mr. President, I ask unanimous consent that the Senate proceed to consider the Thomas amendment No. 498 and that there be 2 minutes of debate equally divided and the vote time be limited to 10 minutes, with no second-degree amendment in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Under the previous order, there will now be 2 minutes of debate equally divided on amendment No. 498.

The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, the amendment I am offering will bring some transparency—

Mr. GREGG. Could we get order, Mr. President?



The PRESIDING OFFICER. May we have order in the Senate, please.

The Senator from Wyoming.

Mr. THOMAS. The amendment will bring transparency and discipline, but not order, to this budget process. The budget resolution is supposed to provide a blueprint for Government spending and allocate dollars for appropriators to spend in particular areas. However, this budget goes away from that responsibility in a number of areas and fails to even set up a cap for overall spending. It does so by including a number of unlimited reserve funds that amount to no more than a blank check signed by the American taxpayer. There is no end to what can be spent.

My amendment would strike these reserve funds from the budget. We owe it to the American people to give them a budget that means something, that let's them know up front how much we are spending and how we are going to pay for it. I urge my colleagues to support this amendment.

Mr. President, I yield back the remainder of my time.

Mr. CONRAD. Mr. President, there are no blank checks here. Reserve funds simply say that the committee of jurisdiction has to report a bill, and they have to pay for it. Nothing happens unless the committee reports and unless they pay for it.

Now, this amendment would knock out every reserve fund—every one that has been put in by Republican Senators, every one that has been put in on this side. It would knock out the reserve fund for SCHIP, children's health care. It would strike the reserve fund for veterans. It would strike the reserve funds for tax relief, for education, for energy, for the farm bill, for Medicare, for housing, for childcare, for mental health parity. It would knock out Senator CORNYN's reserve fund for immigration, and on and on.

I urge a "no" vote on this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to amendment No. 498.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 29, nays 67, as follows:

[Rollcall Vote No. 96 Leg.]

#### YEAS—29

Allard  
Bennett  
Bond  
Brownback  
Bunning  
Burr  
Coburn  
Cochran  
Corker  
Craig

Crapo  
DeMint  
Ensign  
Enzi  
Graham  
Grassley  
Gregg  
Hagel  
Hatch  
Kyl

Lott  
Martinez  
McConnell  
Murkowski  
Sessions  
Shelby  
Thomas  
Vitter  
Voinovich

#### NAYS—67

Akaka  
Alexander  
Baucus  
Bayh  
Bingaman  
Boxer  
Brown  
Byrd  
Cantwell  
Cardin  
Carper  
Casey  
Chambliss  
Clinton  
Coleman  
Collins  
Conrad  
Cornyn  
Dodd  
Dole  
Domenici  
Dorgan  
Durbin

Feingold  
Feinstein  
Harkin  
Hutchison  
Inouye  
Isakson  
Kennedy  
Kerry  
Klobuchar  
Kohl  
Landrieu  
Lautenberg  
Leahy  
Levin  
Lieberman  
Lincoln  
Lugar  
McCaskill  
Menendez  
Mikulski  
Murray  
Nelson (FL)  
Nelson (NE)

Obama  
Pryor  
Reed  
Reid  
Roberts  
Rockefeller  
Salazar  
Sanders  
Schumer  
Smith  
Snowe  
Specter  
Stabenow  
Stevens  
Sununu  
Tester  
Thune  
Warner  
Webb  
Whitehouse  
Wyden

#### NOT VOTING—4

Biden  
Inhofe

Johnson  
McCain

The amendment (No. 498) was rejected.

Mr. CONRAD. Mr. President, I would have preferred not to have to offer this amendment, but Senator COLEMAN has an amendment that would extend several energy tax incentives, including the clean, renewable energy bond program, and tax incentives for energy-efficient buildings and powerplants.

I am in entire agreement with the Senator on that matter. The problem is, he has paid for it out of section 920, and the 920 pool of money is about evaporated. So the effect of his amendment would be to cut veterans, homeland security, and law enforcement; and I can assure colleagues that will be dropped in conference if it is adopted here.

Instead, to try to accomplish the goal, I have offered those same provisions, paid for by a deficit-neutral reserve fund. That gives the committees of jurisdiction the widest latitude to pay for the initiatives that are deserving and important.

#### AMENDMENT NO. 598

Mr. CONRAD. I send the amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota (Mr. CONRAD) proposes an amendment numbered 598.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To create a deficit-neutral reserve fund for extending certain energy tax incentives)

At the end of title III, insert the following:

#### SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR EXTENSION OF CERTAIN ENERGY TAX INCENTIVES.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would extend through 2015 energy tax incentives, including the production tax credit for electricity produced from renewable resources, the Clean Renewable Energy Bond program, and the provisions to encourage energy efficient buildings, products and power plants, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

Mr. CONRAD. The Senator from Minnesota has a minute.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. COLEMAN. Mr. President, we agree on the goals. We need clean energy. We need clean energy. We need renewable energy, wind energy, biomass, and geothermal. The problem is, with the reserve fund there is no certainty. You cannot take the reserve fund to the bank. That would only say if we find offsets in the future to make the extension, we can do that. It is as if I give you \$15, and if you find \$15 for me some day, you can pay me. If you want the projects to go forth and you believe in wind and biomass and other renewables and you want them to be financed, you need certainty. The 920 fund can provide you the certainty.

This doesn't move the ball forward. We are still at ground zero. If you believe in renewables and clean energy, I urge you to vote against this and support my amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I wish my colleague was right. The 920 offset is a fantasy. This will never survive conference because the 920 pool is gone.

I urge colleagues to vote for the first amendment, the Conrad amendment, that provides a funding mechanism that will survive conference.

I ask unanimous consent that we go to the vote.

The PRESIDING OFFICER. Is there objection?

The Senator from New Mexico.

Mr. DOMENICI. What was the manager's request?

Mr. CONRAD. I was asking that we pay for these very worthwhile initiatives with a deficit-neutral reserve fund instead of using section 920.

Mr. DOMENICI. I heard all of that, and I know what the Senator from Minnesota is trying to do because I encouraged him to do it. Rather than let him lose by making a mistake, I wonder if we could look at the amendment of the Senator from North Dakota. I looked at it, and I didn't see a reserve fund. Can we take 1 minute and look at it? I would like to encourage Senator COLEMAN to accept the Senator's proposal.

Can the Senator from North Dakota tell me again what he thinks he did?

Mr. CONRAD. Yes. What I have done is I have tried to convince my colleague—we absolutely share the same goal.

Mr. DOMENICI. Yes.

Mr. CONRAD. What I have done is offered a deficit-neutral reserve fund that gives the committees the greatest latitude to actually fund it. Mr. President, 920, which is his offset, is over-subscribed, and if we go to conference with it, we will be dropped like a hot rock.

Mr. COLEMAN. Mr. President, I note that there are 235 reserve funds in this budget with over \$200 billion over 5 years. The problem is, again, if we believe in getting this done, and we adopt it with the reserve fund, there is no way we can go to the bank and say we are going to have this because it is simply a promise without anything.

The reality of the 920 can give certainty if we can get it through conference. Let's fight for it in conference. Let's not do anything that has no effect.

Mr. CONRAD. Mr. President, let's be clear. What 920 means is that we will cut veterans, we will cut homeland security, we will cut law enforcement. That is a losing proposition for us, I say to my colleague, especially given the fact that we are already at over \$7.5 billion a year in section 920. The President, when he identified the possibilities, only identified \$7.5 billion available. That is the money that has already been used.

I urge my colleagues to vote yes on the Conrad amendment so we can fund these important priorities.

I urge we go to the vote. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 598. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The PRESIDING OFFICER (Mr. NELSON of Florida). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—54

Akaka	Byrd	Collins
Baucus	Cantwell	Conrad
Bayh	Cardin	Dodd
Bingaman	Carper	Domenici
Boxer	Casey	Dorgan
Brown	Clinton	Durbin

Feingold	Lieberman	Reid
Feinstein	Lincoln	Rockefeller
Harkin	Lugar	Salazar
Inouye	McCaskill	Sanders
Kennedy	Menendez	Schumer
Kerry	Mikulski	Smith
Klobuchar	Murray	Stabenow
Kohl	Nelson (FL)	Tester
Landrieu	Nelson (NE)	Thune
Lautenberg	Obama	Webb
Leahy	Pryor	Whitehouse
Levin	Reed	Wyden

NAYS—42

Alexander	Crapo	Martinez
Allard	DeMint	McConnell
Bennett	Dole	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Snowe
Chambliss	Gregg	Specter
Coburn	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Thomas
Corker	Isakson	Vitter
Cornyn	Kyl	Voinovich
Craig	Lott	Warner

NOT VOTING—4

Biden	Johnson
Inhofe	McCain

The amendment (No. 598) was agreed to.

Mr. CONRAD. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GREGG. Mr. President, I ask unanimous consent that there now be 2 minutes equally divided, that we go to the vote, and that the yeas and nays be deemed ordered on the Coleman amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

There are 2 minutes of debate equally divided.

The Senator from Minnesota.

Mr. COLEMAN. Mr. President, if you voted for the Conrad amendment before, if you believe in wind energy and biomass and renewables, then you should vote for my amendment. The argument of the Senator from North Dakota is this will never make it out of conference committee, but that is not an argument against what we are trying to do. So let's put that to the test.

If you believe this is the right policy and you want to tell those folks who want to do wind energy and who want to do biomass that you are going to support them, you should support my amendment.

Ms. SNOWE. Mr. President, I thank Senator COLEMAN for offering this amendment because it is critical that the Federal budget prioritizes the energy policy initiatives that are working for our Nation.

This amendment would include budget authority for the extension of the tax incentives for energy efficient commercial buildings, which has been estimated that by 2010 will save 7 trillion cubic feet, Tcf, of natural gas. To put this figure in context, the United States imported 4.3 Tcf of natural gas in 2005.

Furthermore, we must recognize that investments into commercial and residential buildings provides cost savings for decades. The life of an average

American vehicle is roughly 12 years, for commercial buildings the estimated lifetime is 75 years and for residential buildings the lifetime is 100 years. It is vital that we encourage the investment into energy efficiency for these buildings in order to receive the aggregate energy savings.

Recently, Senator KERRY and I, as chair and ranking member of the Senate Committee on Small Business and Entrepreneurship, heard small business representatives articulate the success of these incentives. However, it is clear that businesses need sufficient lead time to make these investments, reduce risk, and ensure that businesses adopt the most energy efficient infrastructure. This budget must affirm and reflect upon the fact that energy efficiency is the most cost-effective solution to our energy crisis. As the former Assistant Secretary for Energy and Energy Efficiency and Renewable Energy and current director of Google's Climate Change and Energy Initiatives, Dan Reicher, stated to the Finance Committee last month, "Energy Efficiency is the real low-hanging fruit in the U.S. and global economy."

Furthermore, I am encouraged that this amendment would include a 5-year extension for the renewable production tax credit. On December 14, 2006, I joined Senators BINGAMAN and DOMENICI and 39 other Senators, in writing the President to request that he include a 5-year extension of the renewable energy production tax credit, PTC, for 5 years. The current PTC is due to expire on December 31, 2008, and this does not allow renewable energy businesses to adequately prepare for the long-term. This problem was analyzed in a special report in the Economist, which stated that "America's incentives for clean energy" are "relatively modest compared to Europe's." Furthermore, the article illustrates that "what one politician can mandate, another can terminate—and therein lies one of the biggest risks for clean energy. American politicians have periodically allowed a tax break for wind generation to expire, for example. This caused the industry to falter several times, before the credit was renewed again."

This country must make a long-term commitment to energy policies that are effective. I am pleased to support this amendment.

Mr. CONRAD. Mr. President, all those who voted "yes" on the Conrad amendment should now vote "no" on the Coleman amendment, since we have funded it and done it in the right way.

The Coleman amendment would fund these priorities by cutting veterans, by cutting homeland security, by cutting law enforcement. You better vote "no" on the Coleman amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 577. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 53, as follows:

[Rollcall Vote No. 98 Leg.]

**YEAS—42**

Allard	DeMint	McConnell
Bennett	Dole	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Coburn	Gregg	Snowe
Cochran	Hagel	Specter
Coleman	Hatch	Stevens
Collins	Hutchison	Thomas
Corker	Isakson	Thune
Cornyn	Lott	Vitter
Craig	Lugar	Voivovich
Crapo	Martinez	Warner

**NAYS—53**

Akaka	Feingold	Murray
Alexander	Feinstein	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Obama
Bingaman	Kennedy	Pryor
Boxer	Kerry	Reed
Brown	Klobuchar	Reid
Byrd	Kohl	Rockefeller
Cantwell	Kyl	Salazar
Cardin	Landrieu	Sanders
Carper	Lautenberg	Schumer
Casey	Leahy	Stabenow
Clinton	Levin	Sununu
Conrad	Lieberman	Tester
Dodd	Lincoln	Webb
Domenici	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Mikulski	

**NOT VOTING—5**

Biden	Inhofe	McCain
Chambliss	Johnson	

The amendment (No. 577) was rejected.

Mr. GREGG. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GREGG. Mr. President, we are now going to go to a period we have discussed before, where people will be speaking on various amendments but not offering them. The speaking order on our side, and we are presuming this is going to start about 6:30, will be a half hour on our side, then a half hour to the majority, then a half hour to our side, and then the majority, back and forth. The people we expect to speak are in this order: Senator SPECTER, as soon as we start, and Senator DOMENICI after Senator SPECTER. Then, after the majority response or period, it will be Senator HATCH, probably around 7:30, and then a combination of Senator MURKOWSKI and Senator ALLARD

around 7:45. Then the majority position. Then it will be Senator CHAMBLISS and a group around 8:30; Senator BROWNBACK around 9:30, and Senator VOIVOVICH around 9:45. All those times may move up depending on what happens, with Members either coming or going or not showing up, but that is the present lineup.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, because we are now 20 minutes past the time we anticipated being able to start the discussions and the debate, obviously everything is moved back 20 minutes. Previously, the GOP time was to run from 6 to 6:30. That will need to now run from about 6:25 to 6:55. That will be the time in which our side would start. First will be Senator MENENDEZ, then Senator SALAZAR, and then Senator DURBIN, each one of them for 10 minutes. Then we will go back to the Republican side. Then we will come back to our side at roughly 8 o'clock with Senator LIEBERMAN and Senator CASEY.

I hope it is recognized that if Senators who have time are not here and there are other Senators who are here, that will be worked out and the Senators who are available will go ahead and use the time and be reasonable with others so we can accommodate as many Senators as possible this evening.

The other important thing to say is, tomorrow morning we are going to start at 9 o'clock. We will have a half hour equally divided between Senator GREGG and myself. Then we will start voting at 9:30. That is going to be a series of 10-minute votes after the first one. In addition to that, we need to indicate to Members, there are 75 votes pending. We can do about 3 votes an hour. That means 25 hours of voting. If everyone insists on their amendment, we will be here until 9 o'clock the next morning. That is the reality. Senators can decide their own fate. If every Senator insists on every amendment they have noticed, that is 75 amendments, we will be voting for 25 straight hours. I hope colleagues understand the consequences.

I thank the Chair.

Mr. GREGG. Mr. President, I wish to reinforce the point made by the chairman, which is there has to be reason in this process. We have been through these vote-a-thons before. We know they tend to be a little chaotic. Quite honestly, there are a lot of people who come in late with ideas that are good ideas, but let's be reasonable and make sure there is an orderly process, and let's cut this list down to something that is manageable so we can all get back to our districts or our homes and enjoy the weekend with our families.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 506

Mr. SPECTER. Mr. President, I have sought recognition to discuss briefly two amendments to the budget resolu-

tion. The first amendment, which I offer on behalf of Senator HARKIN and myself, relates to funding for the National Institutes of Health. The NIH has undertaken miraculous research which has led to breakthroughs on many maladies confronting this country and which benefit the world. Dr. Zerhouni testified on Monday of this week and brought forth statistics showing there has actually been a decrease in cancer in the last 2 years, a decrease in heart disease, and a decrease in strokes. We could go through the long list of ailments where the NIH research has been overwhelmingly successful.

I ask unanimous consent at the conclusion of my comments that the list of the diseases be printed in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. The budget constraints have led to a cut in NIH funding in recent years. The proposed budget by the administration would cut NIH funding by more than \$500 million. In one of the recent budget cuts, the National Cancer Institute, illustratively, was cut by some \$50 million.

In 1970, President Nixon declared war on cancer and, had that war been prosecuted with the same intensity as our other wars, cancer would have been cured.

My chief of staff, Carey Lackman, a beautiful young woman of 48, died of breast cancer. One of my best friends, a very distinguished Federal judge, Edward Becker, of Philadelphia, chief judge emeritus, died within the year of prostate cancer.

As is fairly well known, I suffer from Hodgkin's. I made a good recovery. All the tests are said to be symptom free. But I was for increasing NIH funding long before I had a personal problem. I have been on the Appropriations Subcommittee of Labor, Health and Human Services, and Education since I was elected to the Senate in 1980 and have had the opportunity to chair the subcommittee. With the leadership of Senator HARKIN and myself, NIH funding has been increased from some \$12 billion to almost \$30 billion.

We are offering this amendment simply to restore NIH funding to where it would have been had there been an accommodation for biomedical inflation. The cuts have been tremendous, but we have restored the 4.5-percent biomedical inflation rate for fiscal year 2006, which costs \$1.3 billion; for fiscal year 2007, which costs \$1.1 billion; for fiscal year 2008, which costs another \$1.1 billion.

We also provide increases for the Centers for Disease Control and Prevention and restored health professional training programs for nurses and doctors to the 2005 level.

This, in the aggregate, when reduced by the assumption for health care programs in the budget resolution, comes to an increase in funding of \$2.183 billion.

I ask unanimous consent this schedule be printed at the conclusion of my remarks, along with the chronology of funding amendments offered on the increase of NIH funding.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SPECTER. I would say that this is absolutely minimal to not fall backward. Earlier this week, in addition to Dr. Zerhouni's testimony, we heard testimony from research applicants, and they are falling off. We are losing the best and the brightest of the talent. So this is minimal, just to tread water.

#### AMENDMENT NO. 505

I now turn to a second amendment which I propose to offer, and that is an amendment which deals with legislation to reform asbestos litigation. There have been efforts made to deal with the avalanche of asbestos injury cases, with the attendant bankruptcies and with tens of thousands of people left unable to collect for very serious, sometimes deadly, injuries because companies have gone into bankruptcy.

On a number of occasions, the Supreme Court of the United States has urged Congress to deal with this problem. In the 109th Congress, the Judiciary Committee undertook an enormous job, reported out a comprehensive reform bill after many hearings and complicated markups—all of that is part of the record, which I will not repeat now.

In the intervening period of time, \$140 billion that had been available for a trust fund has been reduced very substantially by the formation of bankruptcy trusts. So we are now compelled to recast the legislation. We are now looking at a reduced trust fund, and we are looking at dealing only with victims of mesothelioma, which is a deadly ailment.

Last year, notwithstanding the humongous effort of the Committee, asbestos legislation was defeated on a technical point of order requiring 60 votes. We got 59. Senator INOUE had stated he was going to vote with us, but his wife was ill, and we did not survive the challenge on the budget point of order.

The very heavy, crowded calendar precluded our being able to bring it up again. This year we have offered an amendment to the budget resolution which would establish a reserve fund for asbestos legislation, eliminating a point of order under section 302 of the Budget Act. And we have restructured the legislation to make it ironclad that the Federal Government will not have to pay anything because we are creating a fund, which we did not do last year, so that the only money contributed will be from the trust fund.

That trust fund is established by the manufacturers who are interested in avoiding the crush of litigation and the attendant costs. We have found that the so-called transaction costs, attorneys' fees, amount to about 58 cents on the dollar, and only 42 cents are going to people who are injured.

We have restructured the bill to defer cases where people do not have tangible damages, and we are looking at those with mesothelioma. We are dealing with an award—without a showing of liability, simply the damages of mesothelioma—of \$1,100,000, an amount that was established last year after considerable negotiation, and I think it is fair to say it has been accepted as a reasonable figure.

So that what will be presented to the body—I am hopeful we can yet work this out. We have gotten consent from staff on one side of the aisle, we are working with staff on the other side of the aisle, and we think we have answered conclusively the concerns that were raised.

Senator LEAHY was a cosponsor last year when I was chairman and he was ranking. He is the chairman of Judiciary now and has agreed to be a cosponsor as we move this bill forward. So I think we have the votes to get this resolved, but doubtless there will be a necessity for a cloture vote. We are going to have to get 60 votes to carry this bill forward.

What I am looking for, what the sponsors are looking for, is not having so many hurdles that it becomes a practical impossibility to have the Senate consider this issue on the merits. But we are long past due, having been tangling with this issue for some 25 years. Legislation was defeated last year on a technicality. I hope we can eliminate the technicalities this year, and the amendment will address one. Then we will face the 60-vote threshold on cloture.

We will seek to structure a bill that will meet with the approval of the Senate and the House of Representatives.

#### EXHIBIT 1

##### DISEASES

Aids  
Autism  
Stroke  
Obesity  
Alzheimer's  
Parkinson's  
Spinal Muscular Atrophy  
Scleroderma  
ALS  
Muscular Dystrophy  
Diabetes  
Osteoporosis  
Cancers:  
Breast, Cervical and Ovarian  
Lymphoma  
Multiple Myeloma  
Prostate  
Pancreatic  
Colon  
Head and Neck  
Brain  
Lung  
Mesothelioma  
Pediatric Renal Disorders  
Multiple Sclerosis  
Deafness and Other Communication Disorders  
Glaucoma  
Macular Degeneration  
Sickle Cell Anemia  
Heart Disease  
Spinal Cord Injury  
Sudden Infant Death Syndrome  
Arthritis

Schizophrenia and Other Mental Disorders  
Polycystic Kidney Disease  
Hepatitis  
Cooley's Anemia  
Primary Immune Deficiency Disorders

#### EXHIBIT 2

##### BUDGET AMENDMENT TALKING POINTS

Your amendment: Would add \$2.2 billion to Function 550—Health—for increases in NIH, CDC and Health Professions Training Programs. This increase would be offset by an across-the-board cut of 0.23 percent.

Budget Resolution: The budget resolution assumes the FY'07 funding level for NIH and provides an unspecified \$1.637 billion increase for all health programs.

##### Amendment assumptions:

NIH increases required: to restore NIH plus FY'06 biomedical inflation—4.5%, \$1.3 billion; to restore NIH plus FY'07 biomedical inflation—3.7%, \$1.1 billion; to restore NIH plus FY'08 biomedical inflation—3.7%, \$1.1 billion.

NIH funding: \$28,948,845,000—FY'07 comparable appropriation: \$28,948,845,000—Budget resolution assumption for the NIH or the same as the FY'07 amount; \$32,448,845,000—FY'08 with your amendment, +\$3.5 billion over the FY'07 comparable appropriation.

Year	Appropriation	Over previous fiscal year	Percentage
1995	\$11,299,522,000	\$362,000,000	
1996	11,927,562,000	628,040,000	5.6
1997	12,740,843,000	813,281,000	6.8
1998	13,674,843,000	934,000,000	7.3
1999	15,629,156,000	1,954,313,000	14.3
2000	17,820,587,000	2,191,431,000	14.0
2001	20,458,130,000	2,637,543,000	14.8
2002	23,296,382,000	2,838,252,000	13.9
2003	27,066,782,000	3,770,400,000	16.2
2004	27,887,512,000	820,730,000	3.0
2005	28,495,157,000	607,645,000	2.2
2006	28,311,848,000	-183,309,000	-0.6
2007	28,948,845,000	-636,997,000	2.2
2008			
Request	28,621,241,000	-327,604,000	-1.1
Budget Res	28,948,845,000	0	0
Amended	32,448,845,000	+3,500 billion	12

##### SEQUENCE ON NIH FUNDING

In 1981, NIH funding was less than \$3.6 billion. For FY04, NIH funding totals \$28 billion.

A substantial investment in the NIH is crucial to continue the progress we have made over the last several years to turn our investment into cures for diseases over the next decade. We have seen innumerable breakthroughs in the knowledge of and treatment for diseases such as cancer, Alzheimer's disease, Parkinson's disease, severe mental illnesses, diabetes, osteoporosis, heart disease, and many others.

In FY'98, you and Sen. Harkin sought to add \$1.1 billion to the health function during the Budget Resolution. The amendment was defeated 63-37. Despite this, you were able to provide a \$1 billion increase for the NIH in FY'98.

In FY'99, you and Sen. Harkin again offered an amendment to the Budget Resolution to add \$2 billion to the health function. The amendment was again defeated, this time by a vote of 57-41. But, you still provided an additional \$2 billion to the NIH for FY'99, which at the time was the largest increase in history.

In FY'00, you and Sen. Harkin offered an amendment to the Budget Resolution to add \$1.4 billion to the health function, over and above the \$600 million increase which had already been provided by the Budget Committee. The amendment was defeated by a vote of 47-52.

In FY'01, you and Senator Harkin offered an amendment to the Budget Resolution to add \$1.6 billion to the health function. This amendment passed by a vote of 55-45. This victory brought the NIH increase to \$2.7 billion for FY'01. However, after late night negotiations with the House, the funding for

NIH was cut by \$200 million below that amount, bringing the total increase to \$2.5 billion.

In FY'02, you and Senator Harkin, along with nine other Senators offered an amendment to add an additional \$700 million to the resolution to achieve your goal of doubling. The vote was 96-4. The Senate Labor-HHS Subcommittee reported a bill recommending \$23.7 billion, an increase of \$3.4 billion over the previous year's funding. But during conference negotiations with the House, we fell short of that amount by \$410 million.

The FY'03 omnibus appropriations bill contained an increase of \$3.7 billion, which achieved your doubling effort.

In FY'04, you and Senator Harkin offered an amendment to the budget resolution to add \$2.8 billion in additional funding for Public Health Service programs as follows: \$1.8 billion for NIH, \$600 million for CDC, and \$400 million for the Health Resources and Services Administration. The vote was 97-1.

On September 10, 2003, during floor debate on the Labor-HHS bill, you and Senators Harkin and Feinstein offered an amendment to the FY04 Labor-HHS bill to provide a \$2.5 billion increase for the NIH. The amendment was defeated by a vote of 52-43—the amendment required 60 votes because the increase was designated as an emergency. The final conference agreement contained \$27.9 billion for NIH, an increase of \$1 billion over the FY'03 appropriation.

In FY'05, you, Senator Harkin, and Senator Collins offered an amendment to the budget resolution to add \$2,000,000,000 to discretionary health spending, including NIH—the amendment passed 72-24. The final conference agreement for NIH included \$28.6 billion, an increase of \$800 million.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from New Mexico.

**Mr. DOMENICI.** Mr. President, I might say to the distinguished Senator from Pennsylvania, little did I know when I agreed tonight to switch places and follow him, instead of the reverse order, that I would hear about, once again, this never-ending litigation that is once again brought to the Senate floor by the distinguished Senator from Pennsylvania. What a distinguished stalwart you are, Senator.

Never give up. Never say no. Never say die. Just keep on keeping on. Sure enough, even the big, giant elk fall. That is what they talk about in the forest, as they look out there among the great pines and the great big, giant elk, that sooner or later the tree will fall and the elk will fall.

Frankly, I do not know of anybody better than you to say, if you are after them, you will get them, whatever it is. In this case, I listened to you, like I have listened and expressed willingness last time, with no interest, no big interest in my State to give you a Senator on your side, by saying I want to be part of trying to get this solved. I await your presentation to us, to have an opportunity to see if we can sign up now.

Having said that, Senator SPECTER, I am going to speak for a very few minutes about this budget that is before us. I had kind of sworn I would not get involved very much in budget activities on the floor. I think you probably, as much as anyone, have noticed a real

lack of—or an absence of—Domenici verbiage on budgets. Because I have done it for so many years, I decided others ought to take over and take charge, and they would have plenty without me having to stick myself in the middle of it.

But I did think, if I were going to look at this year at what happened, what is the difference between the Democrats and Republicans being in control, which is essentially what everybody ought to know is the big difference. And then you ought to say: Well, what difference is there in the budget because the Democrats took over? And it is their budget, there is no doubt about it.

They may claim they did not inherit what is in this budget, but the truth of the matter is, they are going to fix it, if it is going to be fixed. They are not going to do nothing, they are going to try to do something. You are going to look and see what it is they tried to do, and from that you are going to have to try to draw some conclusions.

So it is a very difficult time to put a budget together. I do not stand here tonight as a superpolitical criticizer or criticizer of the Democrats who are trying to put this together. But I do think, from time to time, it is important that somebody like me who has been through this for about 25 years—I think that is about the minimal that I was involved in putting budgets together—and during much of that time I was either ranking or chairman having to put it together and learn about it.

I believe we must continue to look at things and expose and express, which is what I am doing. I am not being critical, I am exposing and expressing what I see vis a vis what the leadership on the other side has claimed they have done.

I believe we must continue to protect the middle class. The middle-class working families must have our help and our protection. They are the backbone of our country. It is the middle class that distinguishes America from all other democracies, and that is why we are able to remain so strong as a living democracy, is because we have such a large, powerful majority of Americans who belong to the middle class, the middle-class working families.

Unfortunately, the budget we are presented this year will do very little for the hard-working middle class. The budget we are presented does little for the hard-working middle class. If enacted, the budget would allow tax breaks that we gave to the middle class to expire, causing an enormous tax burden to be placed on these families.

You do not have to do much, if you have tax cuts that are running along and the tax cuts are going to expire. Then all you have to do is not extend them and sometime later on the taxpayers are going to find out that their taxes are different because, in fact, what had happened to them under the tax structure before will not happen to them come the end of the tax year.

If enacted, the budget would allow the tax breaks we gave to the middle class to expire, causing an enormous tax burden to be placed on these families. Simply put, the budget increases taxes on the middle class. I realize we made a step in the right direction by adopting the Baucus amendment yesterday. That was planned by the majority that it take place in that way.

He offered a tax amendment, and I was happy to vote in favor of that, which permanently extended the tax relief for the 10-percent tax brackets and extended the child tax credit, the adoption credit and dependent care credit and the marriage penalty relief.

However, there is still a great deal of work left to be accomplished. While we have provided tax relief for the lowest brackets, we have not addressed the middle class, which faces a tax increase and a loss of some substantial deductions such as the education tuition deduction.

The budget does not extend the capital gains tax and the dividend tax relief. If we do not extend the capital gains deduction, we will be creating a dangerous situation that may prevent the economy from progressing. This might be a very good test of whether those kinds of taxes, capital gains and dividends tax relief, have anything positive to do with the economy.

Obviously, so far in this process it is obvious that the other side is not going to do anything to extend those taxes, which many think were very important to the continuation of the growth at a steady pace for part of the last 5 years. If we do not extend the capital gains reduction, we will be creating a dangerous situation that may prevent the economy from progressing in a normal manner.

I am not predicting that. I learned a long time ago not to predict too much because I predicted how bad things would turn out when certain taxes were changed, and it didn't happen at all.

But I do believe there is too big a change in this budget resolution that it will not have any effect upon the taxpayers of the United States and ultimately on the economy and on the growth of the economy.

Business owners need certainty so they can focus on long-term planning instead of shooting from the hip on a yearly basis. If we do not extend the capital gains relief, we are putting America's business in the position I have described. One can clearly see that on a national level, the middle class stands to lose the most under this proposal. In New Mexico, the impact of repealing the current tax relief would be felt widely by the middle class. More than 93,000 New Mexico investors, including senior citizens, would pay more because of an increase in the tax rates on capital gains and dividends.

I am also sorry to say that this budget resolution does not thoroughly address the alternative minimum tax. I am sure the proponent of the budget knows that. The alternative minimum

is a devil of a tax. It grew from a little tiny thing with a few people affected to a monster that affects millions of people. With each year, it gets bigger in number. Instead, this budget provides a 2-year alternative minimum patch, not a cure. The 2006 alternative minimum tax applied to 3.5 million taxpayers. Absent legislative action, the AMT will affect significantly more middle-income taxpayers. By 2007, up to 23 million taxpayers could be subject to the AMT.

Maybe I am just telling them what they already know and they plan to fix it. They better think about it. It is an awful big number, and it is rather ominous. There will be plenty of Americans who will note it come tax-paying time, there is no question. Today, they don't know, but in about 6 months, they will know. About a year after that, they will know again. Absent legislative action, the AMT will affect significantly more middle-income taxpayers. By 2007, up to 23 million taxpayers could be subject to the alternative minimum tax.

This is another tax which the middle class will bear the brunt of. The reverberations of this inaction will be seen all over the country and will especially be evident in a State such as New Mexico. This budget does not provide any permanent type of tax relief for America's middle-class people. I believe we still have time and a great opportunity to address this issue right now in a bipartisan manner. I am willing to continue to work to see what we can do to help the middle class in this budget.

Added to the nonexistent middle-class tax relief, this budget fails to address the 800-pound gorilla in the room—otherwise known as entitlement spending. After 2010, spending related to the aging and the baby boom generation will begin to raise the growth rate of total outlays. The annual growth rate of Social Security spending is expected to increase from about 4.5 percent in 2008 to 6.5 percent by 2017. In addition, because the cost of health care is likely to continue rising rapidly, spending on Medicare and Medicaid is projected to grow even faster, in the range of 7 or 8 percent annually. Total outlays for Medicare and Medicaid are projected to more than double by 2017, increasing by 124 percent, while nominal GDP is expected to grow by only 63 percent. The budget currently under consideration does not offer solutions, much less address entitlement spending or reform.

In the area of energy policy, this budget is a mixed bag. On the positive side, I am pleased that it assumes \$1.6 billion for the Department of Energy's Energy Efficiency and Renewable Energy Program—a \$440 million increase above the fiscal year 2006 enacted level.

This is a critical program within DOE where our Nation's work on next-generation fuels is put to the test. Increasing our fuel diversity and fuel efficiency is a top priority for me this year, as it was in the Energy bill of

2005. In that bipartisan bill, we passed the first-ever renewable fuel standard. This has literally brought thousands of jobs to the American people and billions of gallons of homegrown renewable fuel to the American fuel tank. I will be seeking to further these advancements through legislation with Senator BINGAMAN and the Energy Committee.

I am also relieved and pleased that the budget includes an increase for fossil energy research and development. This is key to many small producers, geologists, and to the overall fiscal strength of my home State. It is a mistake to misinterpret this funding as an unnecessary incentive for the oil and gas industry. This research and development helps advance technologies to recover more domestic oil and gas, and that is a good thing.

I am disappointed, however, that this budget rejects the President's proposal to permit oil and gas leasing in the Arctic National Wildlife Refuge and does not assume savings from the proposal. We all agree that we should reduce our dependence on foreign oil. Many of us agree that we should do that by conserving energy, increasing fuel efficiency, and using homegrown biofuels. Where we often disagree is that I believe, in the near term, we should also be producing more domestic oil and gas.

I have proposed and passed the idea of domestic energy in the form of an offshore bill dealing with the Gulf of Mexico. I believe we should be doing more offshore. I believe this budget should include ANWR. The chairman of the Budget Committee has indicated he is concerned that our Nation depends on imports for 60 percent of our oil. It concerns me, too. But it equally concerns me that we are locking up billions of barrels of American resources while relying on foreign, volatile regions for our oil.

I cannot support this budget in its current form because it will increase taxes on the middle class and does not offer any meaningful solution for entitlement spending and it offers an incomplete energy policy. I remain willing to work hard to address areas of concern and am confident that if others will come to the table and talk and negotiate, we could strengthen this budget.

I thank the Chair and yield the floor.  
The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have a different view than my distinguished colleague from New Mexico. This week, what we are seeing is the proof of new leadership in this Congress. I am proud, as a member of the Budget Committee, that we have a budget resolution before us that provides a blueprint for how we can build a stronger nation—a nation that will not be drowning in debt but can save for its children's future, a nation that will not undermine the education of its young people but that invests in build-

ing global competitiveness from start to finish, a nation that will not abdicate its responsibility to provide health insurance to those most in need but that is committed to covering every child, and a nation that will not neglect the needs of its soldiers and veterans but that will provide the level of care their sacrifices deserve.

Our budgets are indicative of the values we hold, individually and collectively. In this budget, one thing is very clear: We see a different set of priorities and values for our Nation. From health care to education to our veterans to the safety of our communities, Americans will see that this budget charts a new course. Perhaps most importantly, however, this budget reaches all of these priorities in a framework that is fiscally responsible. With this budget, we will end the days of spending now and figuring how to pay for it later. Instead of making lofty promises we cannot afford, instead of pretending we can have it all while we are sinking deeper and deeper into debt, instead of leaving a multibillion-dollar mess for our grandchildren to clean up years from now, with this budget we make a clear declaration: We must pay for what we spend as we go along, not push it off for another day. This is something Americans do every day. It is how all of us conduct our personal daily lives. Yet, until recently, it is something which Congress has been incapable of. With this budget, we have a chance to change that.

Without question, one of our highest priorities is the health care of our Nation's most vulnerable children. I find it embarrassing that some in Washington, those who have some of the best health care coverage in the world, have proposed to cut coverage to America's neediest children. Yesterday, we defeated an amendment that would have jeopardized the health care of children and parents all over America. I know the battle is not over, but let me assure my colleagues, we will win the fight so children across this country will have the health insurance they deserve. I applaud the Budget Committee chairman for working to make this funding a priority in the resolution.

I am proud of the Senate's support for the Baucus amendment to increase funding for SCHIP. I am proud that a majority of this Chamber realized we had a responsibility to fix the shortcomings of the President's budget that would have had millions of children across the Nation not insured and that we ensured America's neediest children have the care and health coverage they need.

In this budget, we make it clear who our focus is. We will no longer follow blindly down the President's path to provide costly tax breaks for the wealthiest Americans while we rack up trillions in debt for future generations to pay off. That is why I am proud this



budget includes an amendment by Senator BAUCUS to extend key tax provisions which will benefit millions of students and hard-working families but which do not drown us in debt. The message is clear: We Democrats believe we can extend tax credits that help students afford college. We can ensure families continue to claim the child tax credit. We can provide income tax relief, and we don't have to do it while sweeping the cost under the rug for another day.

In this budget, we provide a light at the end of the tunnel for so many children, teachers, and administrators who have been strained to meet requirements without resources, who have seen promises broken year after year. With this budget, we start to fix the many holes in our education funding. This budget funds education \$9.2 billion above the President's request. We increase grant aid so that students who rely on Perkins loans, work study, and other grants will continue to have the extra assistance that will help them earn their degree.

For me, this is not a policy debate; it is real life. I would not be here in the Senate today without the help of Pell and Perkins when I was trying to go to college. Having grown up poor, in a tenement, and being the first of my family to do so, that educational opportunity created a foundation that helped me achieve what I have today. I want to make that a birthright for each and every one of our children who has the ability and is willing to work hard and give something back to their country.

We provide the largest increase in elementary and secondary education since 2002. We will have done more in this budget resolution in 3 months than has been done by the administration in the past 4 years so that we can start to fill the massive shortfalls that have plagued our schools and denied opportunities to students. We restore programs such as Safe and Drug-Free Schools, education technology, and other critical investments that have been on the chopping block year after year.

Our budget also marks a turning point for an area which has been shamefully neglected—the care of our Nation's veterans. I recently visited veterans at the VA hospital in East Orange, NJ, and soldiers who have returned from Iraq and Afghanistan currently at Fort Dix and service men and women from across the country, not just New Jersey. I have seen how without adequate funding our VA system has become overloaded, new veterans hang in limbo, and soldiers who have made unimaginable sacrifices are left wondering just how much the Nation values their services.

Too many of our soldiers are trapped in a system that keeps them in limbo. They are too injured to serve, yet they cannot be fully discharged until their paperwork has been processed and their health determinations have been de-

cided. The time they spend waiting can grow from weeks to months and, yes, even years. It is appalling. It is unacceptable. We have to work to improve this process.

This budget allows for that. It would increase veterans funding \$3.5 billion above and beyond the President's request. It will ensure funding is dedicated to improving the claims backlog that is plaguing our discharge process.

Mr. President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. I worked to include language in the markup that ensures improving this backlog is a top priority, and I commend the effort by Senator LINCOLN to dedicate funding to fixing the flawed claims process. This budget will do what should have been done long before our troops began coming home from Iraq and Afghanistan—begin to repair a broken system that has failed our veterans.

Our budget will also ensure that as we wage a war abroad, we do not forget our fight here at home to protect our Nation. This budget not only rejects the President's shortsighted proposal to slash more than \$1 billion from first responder programs, but it provides much needed increases for homeland security grants, including enough to fund port security grants at their authorized level of \$400 million, doubling rail and transit security, and doubling chemical security funds.

We also restore the President's cuts to the COPS Program, which would have left almost no funds to help law enforcement hire additional officers and improve technology. We reject the President's proposal to slash firefighter grants in half and eliminate SAFER grants. This budget means the difference between shortchanging our police and fire departments and providing them the resources to meet the challenges in our communities.

Finally, the bottom line is our Nation will see a difference when we pass this budget. They will see a brighter outlook down the road. The Nation is watching. They have called on us to focus and change the priorities and values we have seen in previous resolutions by the previous majority. This budget ultimately encompasses the values of Americans across this country.

I commend Chairman CONRAD for his work on crafting this budget. It was difficult. It is a careful balance. But at the end of the day, it accomplishes the key investments that are most important to the Nation's future, to its vitality, to the human capital, to our children—our greatest asset and also our most fragile asset.

I urge my colleagues to continue to reject the amendments that undermine the ability for this new blueprint and to adopt the resolution tomorrow so we can build a stronger Nation.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Colorado.

Mr. SALAZAR. Mr. President, I rise to discuss the budget resolution that is currently before the Senate today. This is my third year in the Senate, and this is the third budget resolution I have had the opportunity to consider. But this is the first time I can say I am proud of the resolution before us. It is long overdue. We have not had a budget for 2 years, and we are still operating under the budget resolution passed in 2005.

The circumstances surrounding the budget are not ideal. Our fiscal situation in this country has deteriorated significantly year after year over the past 6 years. We know we cannot fully fund every good program, and we are still facing deficits even as we move closer and closer to the demographic tidal wave that will soon overtake the Social Security and Medicare Programs. But, to their immense credit—to the immense credit of the chairman of the Budget Committee, Senator CONRAD—they have crafted a very good, strong budget resolution. The budget resolution before us provides a blueprint that will enable us to fund our most important Federal programs, provide new tax relief and extend expiring tax provisions, and bring the budget into balance within 5 years. It will do all that without raising taxes.

Still, one of the most important parts of this budget is not a program or a tax cut; it is a simple principle: If you want to take money out of the budget, either by increasing funding for Federal programs or by cutting taxes, you have to pay for it. You have to pay for it—it is a simple principle but a very important principle that will assure we restore fiscal discipline to the Congress. This pay-go provision is one I have long supported and one I am very proud to support with Senator CONRAD and other Members of this body.

The budget resolution would create a 60-vote point of order against any new spending for tax cuts that are not fully paid for—that are not fully paid for. The simple rule is essential if we are to exercise the fiscal restraint that will be necessary to restore sanity to the budgetary process and to set our Nation's fiscal circumstances back on the right path.

I believe this budget strikes the right balance for America—between the fiscal restraint that is embodied in pay-go and the need to fund our Government and between the need to keep taxes on middle-class families low and the importance of facing up to our looming budgetary challenges from a position of fiscal strength. This budget accomplishes those important goals.

On the spending side, I am particularly pleased the budget resolution provides adequate funding for a wide range of programs that are important to the people of America and to the people of Colorado. Some of those priorities include children's health, education, veterans health, and law enforcement.

These issues have never been more important to America than they are today.

On children's health, an estimated 9 million children in America do not have health insurance today. This is a staggering statistic: 9 million children in America are without health insurance. They do not have health insurance; therefore, they do not have access to quality health care. These children will be denied the opportunities of learning, to grow up in stable family environments, and to become productive members of our communities.

On education, America is quickly losing ground to other nations in this global economy. The Federal Government must help local schools provide students with the skills they need to compete on a national and international basis.

On veterans health, we are all familiar with the consequences of the failure to provide our veterans with the quality care the Nation owes them. We currently have over 630,000 veterans of both Iraq and Afghanistan. We owe it to them as a nation to ensure they receive the best care our Government can provide because that is what we promised to each and every one of them and their families.

On law enforcement, we all know how important it is for our citizens to feel safe and to be secure in the fact their Government is doing everything it can to protect them in their homes and in their communities. That means more effective Federal homeland security programs, and it means more police officers in our neighborhoods.

The budget resolution before us gives these and a range of other critical national priorities the full support they deserve.

For example, this budget provides \$552 million for the COPS Program. The COPS Program itself has helped put 1,300 police officers on the streets in communities of my State of Colorado.

This budget provides \$43.1 billion for veterans programs, including veterans health—with a \$3.5 billion increase over the President's budget request.

This budget provides \$9.2 billion in discretionary education spending above the President's budget request.

This budget provides \$50 billion for the State Children's Health Insurance Program, SCHIP. That is 10 times what the President has proposed, and it starts us effectively down the road of making sure all the children of America, in fact, have health insurance.

This budget protects our communities and our cities and our counties by making sure the community development block grants, which are so important, are provided \$3.8 billion. This represents a very significant increase over the President's budget request, which slashed the community development block grants.

This budget provides \$1.6 billion for the Department of Energy account that, among other things, will fund the

National Renewable Energy Lab at a level \$385 million above what the President requested.

The budget also provides a \$15 billion increase for agricultural funding between 2008 and 2012 to give our farmers and our ranchers in the forgotten part of America—our rural communities—the assistance they need to remain vibrant.

The budget also rejects the President's proposed cuts to the Payment In Lieu of Taxes Program, the PILT Program, restoring PILT funding to fiscal year 2006 levels.

On the revenue side, this budget sets the stage for meaningful middle-class tax relief and for aggressive action to close the tax gap. As a new member of the Senate Finance Committee, I will do my part to help make the chairman's goals a reality. For example, I strongly support the chairman's decision to include 2 years of AMT relief for middle-class households. That is 1 more year than was set forth in the President's budget request. This will ensure that 20 million—20 million—middle-class taxpayers are not unfairly subjected to the AMT for the next 2 years. I am also especially encouraged that Chairman CONRAD has made a point to emphasize the need to go after corporate tax shelters and offshore tax havens as a way of reducing the tax gap. It is simply not fair to ask hard-working, middle-class Americans to pay their fair share in taxes while we allow large corporations to consistently abuse the Tax Code for their own profit. I commend Chairman CONRAD and the members of the Budget Committee for their vigilance in this arena.

Finally, I believe the budget's deficit-neutral reserve fund for tax relief provides an excellent mechanism for extending several critical tax credits and deductions that will expire in coming years in a fiscally responsible way. The renewable energy production tax credits are an example of that in an amendment we just successfully adopted.

At the end of the day, in 2012, this budget will be balanced. A dramatic reversal of our fiscal fortunes will occur because of the resolution that is before us today. We need a responsible budget blueprint for Congress, and we need it now. This resolution provides that blueprint, and I am proud to stand behind it. I will vote for it. I urge my colleagues to also support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, it is my understanding that the majority has until 7:25 under a previous order entered into; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. Mr. President, I rise today to support the budget resolution that Senator CONRAD has so ably put together. Working with his colleagues on the Budget Committee, Chairman CONRAD has brought to us a budget

that puts America's priorities first, and he has done so in a responsible way.

As I have said many times before, a budget is an expression of values: you choose what to spend your money on and you choose how much of it to spend now instead of later. As families all across America sit down at the kitchen table to create their own family budgets, they decide what they have to pay for now—the house, the car, the electricity, the gas—and then how much they can spend on other things without going too far into debt.

Creating a budget for the Federal Government is really quite similar in many ways: this week the Senate will decide what we have to pay for now—the war, our veterans, health care, education—and then how much we can spend on other things without making our record-shattering debt situation any worse.

I will take a few moments to describe what I think are these key investment priorities, and then I will talk for a moment about how I think we are addressing these priorities in a responsible way.

This budget includes substantial funding for many of America's top priorities, but I will take the time to highlight just three: veterans, health care, and education.

The Senate budget resolution allocates \$43.1 billion for veterans in fiscal year 2008 alone. That is \$3.5 billion more than President Bush recommended in his budget request. With more and more weary soldiers returning from the wars in Iraq and Afghanistan, with the deplorable conditions in Walter Reed waiting for the injured when they return, and with ongoing issues in States like Illinois where veterans benefits are lacking, supporting the troops when it really counts—when the checks are being cut—is something that we simply must do. This budget gets it right.

This budget also gets it right when it comes to paying for health care, both here and around the world.

For health care around the world, there is no greater funding need than for the fight against global HIV/AIDS. In this area, I commend President Bush for showing real leadership over the course of his Presidency. But his budget request neglected one of our most cost effective tools against this plague—the Global Fund to Fight AIDS, Tuberculosis and Malaria. The Senate budget resolution includes \$940 million for the Global Fund, an increase of \$640 million over the President's request. Even more is needed, but this is a good start. To fight HIV/AIDS or make progress on other critical health and development challenges, we must make these necessary investments.

Here at home, the budget resolution provides for up to \$50 billion for is the SCHIP program over 5 years. The Bush budget request is \$2 billion. It is clear that the Bush administration has not

made affordable health care for our Nation's neediest children a real priority. The Democrats have.

Since the creation of the SCHIP program 10 years ago, more than 6.2 million children have been covered by this vital program, including over 290,000 children in my home State of Illinois.

As the first State to provide health insurance to all children, Illinois has been a leader in the fight to change the course of health care in this country. Since 1993, SCHIP and other Federal programs have helped make it possible for Illinois to provide health insurance to more than 313,000 children who didn't have it before.

How big is the need for better investments in our children's health? In a study of over 20 developed nations released last week by UNICEF, the United States ranked as one of the worst places to be a child. What does that say about us as a country and our commitment to our children—our future? What does it say about this Government's priorities over the last 6 years?

UNICEF looked at six dimensions of child well being. Of the five categories for which the United States was ranked, our country ranked in the bottom third in four categories. In fact, we were next to last in the "family and peer relationships" and "behaviors and risks" categories. And we were dead last in "health and safety."

We must make the commitment and investment in the health and well-being of our children to ensure their success—not create circumstances that make it more difficult for them to realize their potential. I think that this budget starts to correct our course, providing more investment in our kids where it is desperately needed.

This budget also proves that the Democrats in Congress believe that there are few better investments in the future of this country—in the future of our children—than education. The budget resolution includes \$62.3 billion for education in fiscal year 2008. That is \$6.1 billion more than the Bush request. We absolutely must make this investment now in order to reap the benefits in the future. Our kids deserve nothing less.

As we have allocated robust funding for our Nation's top priorities, we have done so in a fiscally responsible way. Under Chairman CONRAD's leadership, this resolution would take us several steps down the road towards fiscal sanity after years of endless deficit spending that placed today's tax cuts for the wealthy on the future credit cards of our children.

First, the resolution would create an annual budget surplus by 2012. Since we currently find ourselves with more debt than the Nation has ever accumulated before—just as the baby boomers are getting ready to retire—balancing the budget is fundamentally important.

Second, the resolution reduces both spending and the debt as a share of

GDP over the 5-year life of the resolution. We have a long way to go towards paying off our \$9 trillion in debt, but this is a good start.

Third, the resolution restores a strong pay-go rule that the Republicans had allowed to expire. Congress will be able to spend money on critical needs if it chooses to, but we will have to pay for that spending at the same time. Likewise, we will be able to cut taxes if we want to, but we will have to pay for that as well.

Fourth, the resolution provides 2 years of middle-class tax cuts through continued relief from the alternative minimum tax. Whereas the President's budget called for a huge tax increase on the middle class in 2009 by refusing to provide AMT relief for more than 1 year—a decision that would lead to a substantial tax increase for 25.7 million middle-class Americans—this budget extends that relief for another year to ensure that the middle class does not become ensnared in this tax that was meant to ensure the wealthy paid their fair share of taxes.

In total, this budget provides a valuable blueprint that should help guide the Senate in providing funding for our Nation's priorities while ensuring that we do so responsibly. I urge my colleagues to support it.

Mr. HATCH. Mr. President, I understand the time until 8 is relegated to us. I ask unanimous consent that the distinguished Senator from Colorado be given up to 7 minutes and then the rest of the time be turned over to me.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, I intend to reserve some time for the distinguished Senator from Alaska.

Ms. MURKOWSKI. I thank the Chair. I wanted to make sure I was still in the queue.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I thank the Senator from Utah for yielding. I appreciate his work and the leadership he brings forward here in the Senate from the great State of Utah.

I am going to vote against the budget, and this is the main reason why: It raises taxes by \$900 billion over 5 years and a projected \$3.3 trillion over 10 years. That translates into a tax increase of \$2,641 per household annually over the next decade.

It includes 22 reserve funds that could be used to raise taxes by hundreds of billions of dollars more. It increases discretionary spending by nearly 9 percent in fiscal year 2008, and does not terminate one single program. It completely ignores the impending tsunami of Social Security, Medicare, and Medicaid costs. It encourages rules that bias the budget toward tax increases.

I had an amendment earlier today that we voted on which looked at ineffective programs as described by the Office of Management and Budget. This was in response to legislation we

passed over a decade ago, and we instructed the agencies to look at setting goals and objectives and then coming forward and seeing how they met these. OMB looked at these and said there were 26 out of over 1,000 programs where they didn't meet those goals. If you took these 26 programs, we were looking at \$88 billion over a 5-year period of time.

I had an amendment that said: Let's give instructions to the appropriators to go into these various areas and see if we can't come up with \$18 billion of reduced spending and programs that have been classified by OMB. These are civil servants working for the Federal Government. They don't have a political agenda, just strictly looking at the program objectively. I was disappointed the amendment did not pass.

Tomorrow I plan on introducing an amendment that is going to call for reconciliation for a 1-percent elimination of fraud, waste, and abuse in a number of mandated programs which does not include—does not include—armed services, veterans, and Social Security. The purpose is to improve the economy, efficiency, and effectiveness of Federal programs and to reduce the Federal debt.

The other amendment, on the savings we voted on earlier this year, was money that was directed toward reducing the Federal debt. This amendment tomorrow will instruct the authorizing committees to reduce spending by 1 percent by eliminating waste, fraud, and abuse. The amendment reduces waste, fraud, and abuse in mandatory programs by \$13 billion in the first budget year, and \$71 billion over 5 years. All of the savings will be used to reduce the debt.

This amendment carries across the finish line work that Congress started in 2003. In the fiscal year 2004 budget resolution, the Congress directed the Comptroller General to submit a comprehensive report identifying instances in which the committees of jurisdiction may make legislative changes to improve the economy, the efficiency, and effectiveness of Federal programs within their jurisdiction.

In compliance with our request, GAO—again staffed by professionals who do not carry a political agenda—submitted a 300-plus page report chock full of specific examples of legislative changes with the potential to yield budgetary savings. What have we done with that 300-page report that we requested? Nothing, absolutely nothing.

My amendment picks up where we left off and encourages the authorizing committees to improve the economy and the efficiency and effectiveness of programs under their jurisdiction. So in my effort to eliminate waste and to bring about good stewardship of taxpayer dollars, I ask the Members of this body to support it. It is not a partisan issue. Oversight is a key function of Congress, and when we set up these pieces of legislation to set up reasonable oversight as Members of the Senate, we need to be prepared to carry

those recommendations forward when they come to our attention. I hope this amendment will enjoy broad and bipartisan support. Both amendments were supported by Citizens Against Government Waste. I think it is one small step we can do to at least bring about an effort to reduce fraud, waste, and abuse, and these programs have been clearly identified by both this particular amendment, by GAO, and the previous amendment by OMB.

I ask my fellow Senators to join me in voting for this amendment.

Mr. President, I yield the remaining time to the Senator from Utah.

Mr. HATCH. Mr. President, I would like to take a few minutes to talk about an amendment I will offer tomorrow to ensure that as the budget debate continues, Congress works to protect Medicare beneficiaries' coverage choices, especially coverage choices for those beneficiaries living in rural areas and low-income Medicare beneficiaries.

My amendment is simple. It would establish a budget-neutral reserve fund so that if Congress implements improvements to Medicare, Medicaid, or CHIP, it may not do so in a way that leads to fewer coverage choices for Medicare beneficiaries. It also may not reduce the benefits of those beneficiaries who are enrolled in Medicare Advantage plans.

Let me give my colleagues a little bit of history on the Medicare Advantage program which was established by the 2003 Medicare law.

Under Medicare Advantage, health plans receive a monthly payment to provide beneficiaries all of the benefits covered by traditional Medicare.

But Medicare Advantage plans provide a lot more to beneficiaries.

Medicare Advantage plans provide a range of additional benefits not available in traditional Medicare—benefits such as vision and dental care, physical exams, and hearing aids.

Medicare Advantage plans also have chronic care management programs to help beneficiaries with chronic illnesses such as diabetes or congestive heart failure better manage their conditions and stay healthy.

Now, health plans participating in Medicare is not a new thing.

They've served Medicare beneficiaries for many years going all the way back to the 1970s through programs authorized by Congress.

For the most part though, up through the late 90s, Medicare health plans were largely available only in urban areas.

Going back now for a decade, back to the Balanced Budget Act of 1997, the fact that beneficiaries in rural areas had few, if any, choices, led Congress to take actions to promote plan availability in those areas.

Yes, these actions included increasing payment rates to address the fact that Medicare payments in urban areas were higher—in some cases a lot higher—than payments in rural areas.

I know my home State of Utah had difficulty keeping Medicare+Choice plans in the state primarily because payment rates were too low.

Ironically, many Utahns wanted to participate in these plans because they were the only ones offering supplemental benefits such as vision care, preventive benefits and prescription drugs to Medicare beneficiaries at the time.

But due to low payments and adverse selection, both Medicare+Choice plans dropped Utah beneficiaries and as a result, my constituents had limited choices for Medicare coverage until the Medicare Modernization Act created the Medicare Advantage program.

So let me show you what beneficiary choices look like today.

The top map shows where plans were available in 2003.

The white space means that only traditional Medicare was available.

In 2007, beneficiaries—whether they live in an urban area or rural area—could choose from different Medicare Advantage plans, and all beneficiaries have more choices.

All beneficiaries can now choose a Medicare Advantage plan that offers them important additional benefits and lower out-of-pocket costs.

Now here is a good example of the benefits of Medicare Advantage—all beneficiaries may choose a plan that has no cost-sharing for breast cancer screening.

We all know the importance of breast cancer screening.

Beneficiaries with diabetes can choose a plan that offers them diabetes self-management services without any cost-sharing.

On cost sharing, according to CMS, millions of beneficiaries can enroll in a plan that limits their out-of-pocket costs to \$1,000 a year.

For low-income beneficiaries, protection from high out-of-pocket costs, which they don't have in fee-for-service, is a valuable benefit.

We know that many low income beneficiaries rely on their plans for this protection.

According to CMS, 57 percent of Medicare Advantage beneficiaries have incomes between \$10,000 and \$30,000 compared to 46 percent of fee-for-service beneficiaries.

Another area I want to talk about is quality. Data from the Medicare Current Beneficiary Survey show that Medicare Advantage beneficiaries are more likely to obtain preventive services, including flu and pneumonia shots and cancer screenings.

Surveys also show that beneficiaries are satisfied with their plans.

So let me conclude by urging my colleagues to keep in mind the following:

Beneficiaries across the nation—whether they live in a rural state like Utah or an urban area like New York City—now have more coverage choices.

These choices offer beneficiaries more benefits and lower out-of-pocket costs.

Beneficiaries are satisfied.

Let's not forget that it was through policy decisions supported by Members on both sides of the aisle that helped achieve those results, and those results, in my opinion, are worth protecting for beneficiaries' sake.

I urge my colleagues to support my amendment.

Mr. President, today we are debating the size and composition of the Federal budget for fiscal year 2008.

This is a critical debate. And it is one that future generations will look to in order to determine where we went wrong or where we went right. Just as adherence to a budget can make or break a family or small business, so too can Congress's development of and adherence to a budget make or break our economy.

Whether it is a family budget, or the congressional budget, it must be based on an honest assessment of the facts. The budget must make reasonable projections about what money is coming in and what money is going out.

A budget must face hard facts, not hide from them.

When I hear from my constituents in Utah, they talk about the need for tax cuts that benefit families and small businesses.

They talk about fixing Social Security and Medicare.

The 2006 annual reports for those programs showed their unfunded liabilities to be \$84 trillion in today's dollars. That was up \$7 trillion over the previous year.

With 77 million baby boomers about to retire, this is a serious problem.

We need a budget that is serious about the challenges we face, the revenues we can anticipate, and the expectations of the American people.

We need a budget that swings for the fences, but this budget is playing small ball.

It is big spending, without any big ideas, and the result will be big tax hikes on the American people.

After reviewing the bill before us today, I must candidly admit this budget falls short of realistic spending and revenue projections. You could even go so far as to say it's filled with deception and fantasy.

Simply put, this budget is not honest. It spends more than is brought in. And a lot of the revenues it projects are not really there.

If my constituents in Utah budgeted like this, they would have a serious problem making ends meet.

The proponents of this budget claim that it is the cure to everything that ails us.

But Americans know snake-oil when they see it.

This miracle cure will lead to one of two maladies—over time, it will greatly increase the deficit or it will require massive tax increases.

Consideration of this budget would not be possible without the good fortune of our booming economy. Conversely, however, this budget provides a recipe for destroying the extraordinary growth created by this economy.

I don't believe it is an exaggeration to say—the economy is booming and revenues are up. In fact, revenues are up substantially.

They are up because of sound fiscal policy.

They are up because of progrowth tax cuts that have increased productivity and wages.

It is easy to forget and sometimes our memories are short. But, in the autumn of 2001, our economy was in shambles.

We were hit with a one-two punch, and we were down on the mat.

The booming economy of the late 1990s went bust. When the dot-com bubble burst, billions of dollars in equity were lost, and millions of people began looking for work.

And then in the midst of that recession, our Nation was attacked.

It was not a foregone conclusion that a nation at war, already suffering a considerable economic downturn, would emerge with its head held high and an economy on the rebound.

But we did.

And we did so because President Bush and Congress held strong in pushing through tax cuts and stimulus tax incentive bills that have benefited each and every American.

I know that some of my colleagues want to maintain the illusion that our economy is two-tiered; they say that it is great for the rich who are making out like bandits, and terrible for everyone else. And the 2001 and 2003 tax cuts have the lead roles in this melodrama.

However, the numbers tell a much different story.

Americans are paying taxes—a lot of taxes.

Between 2004 and 2006, we saw an inflation-adjusted 20 percent tax revenue increase. This was the largest 2-year revenue increase since 1965.

Tax revenues, at 18.4 percent of gross domestic product, are above the 20, 40, and even 60 year historical averages. That is not enough for Democrats, however, who want to soak the rich, but will wind up drenching the middle class.

The real devil to them is the tax cut for capital gains and dividends.

Supposedly, these capital gains and dividends tax cuts were skewed toward the rich.

These class warriors need to take a vacation in the reality-based community.

Here's the real deal.

First off, stock ownership is not something just for the wealthy.

Sometimes I think that my colleagues are using talking points written in 1933.

Today, stock ownership is for the middle class.

When you turn on college basketball this weekend, you will see commercials enticing people to hire companies to manage their stock portfolios.

They are not being marketed to monocle-wearing, sports car driving, plutocrats.

They are not being marketed on "Masterpiece Theatre."

They are being marketed to average families. You will see people at work, people making burgers on the backyard grill, and people with families living in the suburbs buying stocks and bonds, generating capital gains and dividends to save for their children's college educations.

It is not just folks in affluent areas of the country who benefit from lower capital gains rates.

A policeman in Salt Lake City, a lineman at an auto plant in Michigan or a schoolteacher in California—all have pensions that are invested in the stock market.

And they all benefit from capital freed by these tax cuts.

In 2003, our capital gains tax rates were set at 20 percent and 10 percent.

Congress reduced these rates to 15 percent and 5 percent.

And what were the revenue estimates?

The Congressional Budget Office expected that revenues would expand somewhat—from \$50 billion to \$68 billion.

It turns out CBO was a bit off.

Capital gains revenues doubled.

Let me repeat that.

Capital gains receipts jumped from \$50 billion to \$103 billion.

So here is the final take on these tax cuts: They turbocharged the economy. They created jobs. Good jobs. They have led to increased revenues. And they will continue to do so, as long as we do not choke them off with the tax increases contemplated by this budget.

But this budget is a recipe for undoing our economic expansion and growth.

Some people have characterized this budget as smoke and mirrors.

That is too generous.

Smoke and mirrors suggests that the supporters of this budget are at least embarrassed about its future implications.

It suggests that they are trying to pull the wool over the eyes of hard-working Americans.

But there is no subtext to this budget. It is not an esoteric document. The tax and spend message is right there on the surface.

It is not exactly the same as Democratic presidential candidate Walter Mondale going to San Francisco and gleefully promising to raise our taxes.

But it comes close.

It certainly looks like we are going to get another dose of this San Francisco treat from the Democratic majority. I guess some things never change.

This is a big spending budget.

And it is a big taxing budget.

Tax and spend.

Where have we heard that before?

Make no mistake about it.

The fact that the Senate adopted Senate amendment No. 492, sponsored by the chairman of the Finance Committee, Senator Baucus, does not change the character of this budget.

It was an important amendment. But in the end, by omission it actually emphasized the high taxing assumptions embedded in this budget.

It did nothing to help alleviate the substantial tax hikes that most middle class Americans will face under this budget.

It did nothing to protect the capital gains rates that are so critical for retirement savings and continued economic growth.

I know that the criticism of this budget as more tax and spend politics must have bothered some of my colleagues because it prompted them to offer and vote for this amendment.

Just a few months ago, many of us were campaigning on a promise of fiscal responsibility.

Promises, promises.

The authors of this budget seemed to have lost their appetite for fiscal responsibility the minute they stepped off the campaign bus.

And so here they are reverting to instinct.

Next year, the Senate appropriators will be able to spend \$16 billion more than the President recommended. And over 5 years, that number grows to \$146 billion.

We are going to see discretionary spending rise to 4.2 percent—higher than the inflation rate. And trust me. They will spend every penny.

We are about to get some sense of Democratic fiscal discipline, when the House of Representatives takes up the national security supplemental spending bill.

Among the national security priorities in that bill will be: \$25 million going to spinach growers. \$74 million going to peanut storage.

And the list goes on and on.

All told, the House supplemental appropriations bill will be larded up with \$21 billion in spending unrelated to national security.

This is certainly an unusual way to go about fiscal responsibility and taking care of our troops.

And it is just a taste of things to come.

The increases in spending contemplated in this budget might all be great news for civil engineers in West Virginia. But for future generations who will have to pay the bill associated with this budget, it is not great news.

Now, concerning the AMT. This budget also gives us a 2-year AMT patch.

Earlier this year, a number of my Democratic colleagues criticized the President for failing to provide a permanent solution to the AMT. Yet this budget does nothing to fix the underlying problem.

As inadequate as this fix is, there is a more nagging question. How are we going to pay for all of this?

Do you remember that campaign promise?

A Democratic Congress will restore fiscal responsibility by restoring pay-go. It will require offsets for any new spending or tax cuts.

OK. So where are those offsets coming from?

Here is where this budget leaves the land of wishful thinking and enters the realm of unfortunate delusion.

We are going to pay for it with—drumroll please—the tax gap. Yes, the magical, wonderful, tax gap. The difference between the amount of money collected by the Government and the amount of money owed. The solution to all of life's problems.

To balance this budget, there is an assumption of 3 percent more revenue over 5 years than the President assumed. And where is that revenue coming from?

The tax gap! Of course! Why didn't we think of that?

You see, this budget does not contain even \$1 of mandatory savings. Yet we are going to provide AMT relief, and we are going to increase Federal spending.

And we will pay for it by closing some tax loopholes and putting an IRS agent in every small business in the country to make certain that not one dime of potential revenue goes uncollected.

Some people have called the tax gap the pot of gold at the end of the rainbow. Well, it is a pot at least.

Here is our best estimate—in 2001 the net tax gap was about \$290 billion. Over 5 years, the tax gap is \$2 trillion. Wouldn't that be nice? The tax gap is the *deus ex machina* that will come in and save this budget mess.

But everyone admits those are very unreliable numbers. Could we be doing better when it comes to collecting taxes? Certainly. We should be collecting more revenue.

But what is a realistic estimate?

Our tax collection system, imperfect as it is, already is the envy of the rest of the world.

So what is a reasonable estimate of how much we can expect from the tax gap?

The President proposed in his budget 16 different options for closing the tax gap. And they would raise \$29 billion over 10 years.

That's it. And not one person in this body seriously believes that we can collect anything near the amount needed to balance this budget.

So we have a \$110 billion AMT fix. Fifty billion dollars of this falls in the first year. I cannot even conceive of a tax gap revenue offset that would cover \$50 billion in 1 year, unless Congress raises the tax rates.

We have \$146 billion more in spending over 5 years. We have no reductions in spending. And the tax gap is not paying for it. So who is? Let me be absolutely clear. You will be paying for it. I will be paying for it. We all will be paying for it. Each and every American is going to pay for this budget. We are going to pay for it through higher taxes. We are going to pay for it by working more hours for less money. And ultimately, we will pay for it as economic growth and productivity sag under increased spending, higher taxes, and declining economic growth.

There is only one way for this budget to work. It has to assume that we will not extend the 2001 and 2003 tax cuts.

Make no mistake about it. This means a tax increase on every middle class American.

This plan will not just kill the goose laying the golden eggs. It is going to wring its neck, stamp on it, and throw its limp lifeless body in the river.

If we in Congress do eventually get our act together and balance the Federal budget over the next few years, it will be despite this budget, not because of this budget. It will be because our economy continues to grow. Because of sound fiscal policy, because of the tax cuts, because businesses will continue to open, jobs will continue to be created, and tax revenue will continue to go up.

We have seen this pattern repeated decade after decade in this country.

Unfortunately, this budget relies on assumptions that have proven to be false time after time. It assumes that we will balance the Federal budget through massive tax increase. It sets aside no room to extend the 2001 and 2003 tax cuts.

In President Clinton's first term, he raised taxes by \$241 billion. That was quite an achievement.

For those of you who have forgotten, and I know that my constituents in Utah definitely have not, it was the single biggest tax increase in American history.

And 1 year later the party responsible for this fiscal lunacy was tossed unceremoniously out of Congress.

Yet this Congress is set to run circles around President Clinton.

This budget assumes a \$916 billion tax hike over 5 years. That is real money. And I imagine it will be unacceptable to many of my colleagues. This is fiscal irresponsibility of the highest magnitude. We need to be straight with the American people.

I know that the majority is in a bit of a jam. In some ways, I feel sorry for them. They promised to fix AMT. They made promises to special interest groups to hike spending. They made promises about fiscal responsibility and budget balancing.

And what did they say about taxes? You could hear crickets chirping when that subject came up. And today they are still sitting awkwardly, avoiding the obvious. Yet it is ordinary Americans who are going to be left holding the bag.

This budget is writing checks that the majority cannot cash without asking the American people to pay higher taxes. The most offensive part of this plan is that they know it, and are just hoping to skate by.

Call it what you want—a caper, a swindle, fiddling while Rome is burning, Wizard of Oz budget, robbing Peter to pay Paul. The fact is, this budget is a boondoggle. The people of Utah deserve better, future generations deserve better, and the American people deserve better.

While I am here, I would like to express my support for the Sessions amendment No. 473, which would refocus alternative minimum tax relief toward families.

Unlike the situation we had a few years ago when a majority of this body supported the alternative minimum tax, I doubt if we could now find a single member of the Senate who supports the AMT as it currently exists. In fact, this insidious tax has so encroached upon our tax system, and threatens to do so much more damage to the American taxpayer, that I would be surprised if we could find even one Senator who would not support total repeal or major reform of this flawed tax.

Despite widespread contempt for the alternative minimum tax, it is clear that the AMT already has gotten a vice-like grip on our fiscal system. Unfortunately, we are already so reliant on the massive revenue the AMT generates and is expected to bring in over the next few years, that making major changes to this tax seems out of reach, absent major tax reform.

Therefore, recent budgets considered by the Senate have included provision for legislation only to help mitigate the effect of the AMT on most American taxpayers, and not to repeal it. This lessening effect has been brought about by temporary laws that raised the thresholds of the tax for 1 year in order to limit the reach of the alternative minimum tax on middle class taxpayers.

For example, the so-called "AMT patch" that is in effect for calendar year 2006 raised the threshold for married taxpayers filing joint returns to \$62,550 from \$45,000. The thresholds for taxpayers in other filing brackets were also increased accordingly, but again for only 1 year.

According to the staff of the Joint Committee on Taxation, the 2006 AMT patch has kept the AMT at bay for nearly 20 million taxpayers. However, this relief ran out at the end of 2006. For the current tax year, we now need to pass legislation to hold off the alternative minimum tax for millions of middle-class taxpayers.

While the budget resolution before us ostensibly provides for a 2-year AMT patch, the details are fuzzy about how we will pay for this relief. For now, however, I will set aside my concerns about that issue and focus on another important one, and that is the issue brought up by the amendment of the Senator from Alabama.

The Sessions amendment would change the focus of how we approach relief from the alternative minimum tax. I strongly support this change, for if we cannot repeal the AMT immediately, our relief efforts should be focused first on the most egregious causes of alternative minimum tax liability.

Tax liability under the AMT can arise for a number of different reasons. However, one of the most common reasons why taxpayers find themselves



subject to AMT is because they have children. As hard as it might be to believe, dependency exemptions are not allowed against the alternative minimum tax.

Another leading cause of taxpayers being thrown in to the alternative minimum tax is the fact that State and local taxes are not deductible under the AMT. There seems to be a common misconception that the State and local tax deduction problem is the biggest factor in determining AMT liability.

In fact, according to the staff of the Joint Committee on Taxation, more taxpayers face the ravages of the AMT because of their personal exemptions being denied than for any other reason. JCT projects that for 2007, absent relief, more than 23 million tax returns will be thrown into AMT because of the personal exemption preference, where less than 20 million will be hit by AMT because of State and local taxes. In subsequent years, the difference is even more pronounced.

The Sessions amendment is a simple one. It essentially says that since we do not have the resources to repeal the AMT all at once, we should prioritize our relief by first fixing the problem that causes families with children to face the alternative minimum tax before we attack other problems, such as the one caused by the lack of deductibility of State and local taxes.

Many families in my home State of Utah find themselves increasingly at risk of the alternative minimum tax. In fact, unless we act soon, an increasingly high percentage of married families with children—not just in Utah, but all over the Nation—will find themselves in the clutches of the AMT.

And many of these are not high income families. Seventy-one percent of all married taxpayers with children earning between \$75,000 and \$100,000 will be AMT taxpayers this year, in the absence of relief. For those families with children making between \$100,000 and \$200,000, the amount is 97 percent. The rate of AMT paying for single taxpayers is much lower, only 9 percent for those making between \$75,000 and \$100,000, and 36 percent for those making between \$100,000 and \$200,000.

Although I am the first to agree that we should repeal the entire alternative minimum tax, that is probably not possible this year. Given that we must choose partial relief, it makes sense to me that we should first give the relief to families with children. Let's first remove the personal exemption as an AMT tax preference item. This amendment is profamily, and I urge my colleagues to join me in supporting it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 551

Ms. MURKOWSKI. Mr. President, I rise tonight to speak about an amendment that I will be modifying, amendment No. 551, that will increase funding for renewable energy development in this country. This amendment is off-

set. It is intended to provide funds for three areas of renewables that have the potential, I believe, to do great benefit for this Nation's electrical power generation, all without generating any greenhouse gases or having any negative environmental consequences.

My colleague, Senator STEVENS, and I are seeking to raise funding for geothermal power, for ocean energy, and for small hydroelectric development.

I first wish to say I understand this budget resolution does raise funding for renewables and energy efficiency, and I applaud that effort, even though it falls somewhat short of the levels of funding we were hoping for when we passed the Energy Policy Act of 2005 a couple years ago.

But I fear the budget shortchanges three areas of great potential energy, and that is, again, the area of geothermal, ocean energy, and small hydroelectric development. By this amendment, I wish to make a clear statement that this Senator wants to see money not just restored but increased for geothermal energy research and development and funding provided for research and development of all forms of ocean energy—current, tidal, wave projects—and also for the small hydroelectric developments, those that do not involve the damming of major river systems but instead use water from lake taps, creeks, or from run-of-river projects to generate the power.

We know that renewable energy is certainly growing in popularity and endorsements, and I very strongly support funneling additional Federal funds for research and development into the areas of wind, solar, biomass, coalbed methane, landfill gas, and all the other types of renewable energy projects we authorized in the Energy Policy Act of 2005.

But we largely have not done as well with geothermal funding and certainly have done far less to promote ocean and small hydroenergy developments.

On the geothermal issue, funding in recent years has dipped precipitously. This year, the Department of Energy is proposing no funding for geothermal. Last week, they did agree to effectively make a total of \$5 million of new money available to study one possible area of geothermal, and this is in the area of heat mining, but this is just for the remainder of this fiscal year. After that, there is no funding.

This cut in funding, this zeroing out comes as MIT has released a report on the "Future for Geothermal Energy." That report suggests enhanced geothermal system technology could provide 100,000 megawatts of baseload power, all without greenhouse gas emissions by 2050 if the Government increases its research commitment to resource characterization and assessment.

The cut in funding also comes just as the Department of Energy has had a major success in proving the ability to convert low-temperature geothermal resources—this is subsurface water

that is far below the boiling point, perhaps as low in temperature as 160 degrees—to power generation. This success in using new types of heat exchanges to drive power generation came about and was perfected in Alaska.

We have a location, Chena Hot Springs Resort, outside Fairbanks. The owner, Bernie Karl, has been dogged in his approach to making this happen, to defy the critics and the odds stacked against him to install the first low-temperature generation working process. This project has won accolades and engineering awards in the past year.

Mr. Karl did what everybody said he couldn't do. Some in the Energy Department seem to feel this project perhaps is not representative of anything other than this nice minor energy project in Alaska. But they don't seem to recognize that about 70 percent of the villages in Alaska and in many small towns in the American West all lie above potentially similar low water, shallow ground geothermal resources. They are sitting right on top of the resource. So in a State such as Alaska, where electricity can cost 80 cents per kilowatt hour generated by diesel fuel—this is how most of my villages are getting their fuel now—geothermal power at an operating cost of perhaps one-sixth to one-eighth of that amount is potentially a godsend. But there is no money in the budget to fund anything to support the geothermal energy.

There is also nothing to encourage traditional geothermal assessment and production, which has proven its worth in States from Nevada and California to the Intermountain West.

By specifically adding money to this budget and specifically saying that this addition is intended to provide an additional \$50 million to geothermal for this year, it increases greatly the chances that appropriators later this year will not only restore but perhaps boost funding for geothermal energy.

On the ocean energy front, the Electric Power Research Institute estimates that this country has the potential from wave power to generate 2,100 terawatt hours of power, and if we were to capture 15 percent of that power, it would equal all of the hydroelectric generation in this country today.

We know that in a State such as Alaska, where we are surrounded literally on three sides by water, ocean energy is a huge potential source of power. But it is also an enormous source of power along the east coast, if we perfected devices to capture it so we have the economies of scale that make this power truly economic. Look at the west coast with California. We have the potential for so much with ocean energy.

Ocean energy is clean. It has no air emissions, minimal visual impacts, and it could provide plentiful power for everything from freshwater desalination to hydrogen production. It could help economic development by providing a

cheaper, more plentiful supply of power in so many areas across this country.

So my amendment is intended to provide \$50 million of funding for ocean energy research in fiscal year 2008. It would be a powerful statement that Congress supports this form of clean renewable energy.

A final component of the amendment seeks to encourage a \$25 million expenditure for small hydro development. Again, this is not damming rivers to produce electricity but tapping non-fish-bearing lakes or diverting water from creeks to fuel smaller hydro units. These projects have little or no environmental impact on wildlife but can produce large amounts of greenhouse-gas-free energy. But the minimal grant and research assistance to continually improve the turbines will be quite beneficial.

In Alaska, we have over 100,000 rivers and large creeks. So we are a location, again, where small hydro can supply a large share of our future electrical needs, as it has done without environmental consequences for about 100 years, especially if we have this additional Federal assistance.

I come to the floor tonight to encourage adoption of an amendment that will help to encourage additional funding for renewable energy for those, I believe, neglected areas of the renewable energy portfolio.

I mentioned the amendment is fully offset. The \$125 million total comes from the function 920 portion of the budget, miscellaneous allowances portion of our budget.

I will not belabor this further except to encourage my colleagues to support this amendment as a way of sending a clear signal that we support additional funding for renewable energy and for a wider portfolio of renewable energy projects. We don't want to repeat the mistakes of the past, where we limit support to a few technologies so that we in Congress essentially pick the winners and the losers. By adding additional research and development assistance for geothermal, ocean energy, and small hydro, we can increase the possibilities that will allow these renewables to blossom. This comes at a modest impact on the budget, but I believe it could pay a huge benefit for our energy production in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to discuss two amendments that I have offered. The first would enable our Nation to better support our military and our veterans.

On September 11, 2001, our Nation was attacked by radical Islamist terrorists and the long war began. It is a war different than any we have fought before because of the willingness of our enemies to attack innocent Americans at home by killing themselves. Someone else has said they hate us more than they love their own lives. But it is also a war that is similar to other long

wars we have fought throughout American history in which we were pitted against a great evil, an evil that threatened not just the security of our society but the ideals and values that form the bedrock of our way of life.

In the Civil War, we fought against the evil of slavery. In World War II, we fought against the evil of fascism. In the Cold War, we fought against the evil of communism, and today we are fighting a world war against the evil of Islamist terrorism.

In each of these past struggles, our Nation fully mobilized. We rallied as only a free people are capable of doing. Millions and millions of citizens bound together, shoulder to shoulder in defense of our freedom, with a shared sense of service, sacrifice, and support of our troops. Our sacrifices went far beyond the battlefield, they suffused our society. In each of these past struggles I have mentioned, those Americans who were not asked to put on a uniform nonetheless shared in the burdens imposed by war. That is how democracies should go to war.

Today, we find ourselves engaged in another global struggle for freedom, a struggle that stretches from the mountains of Afghanistan to the streets of Baghdad, from the jungles of Southeast Asia to the deserts of Somalia, and from the nightclubs of Bali to the subways of London. The fact is that though our military is fully engaged in this war, most of the rest of America is not.

Five years after September 11, very little has been asked of most of the American people. Instead of mobilizing as a nation, the burden of this war has fallen disproportionately on the few, on our soldiers, our brave men and women in uniform. They are the ones who have put their lives on the line so that freedom may prevail. In this Chamber and across our land, there have been great differences of opinion about how we should pursue the war in Iraq, but there has been great unity of opinion that our troops there should be honored. We must support them.

That has become a common banner under which all of us have rallied time and again. We support our troops. We say it on the floor of this Chamber almost every day. We support our troops. We say it on television and radio. We support our troops. We put it on the bumpers of our cars. We support our troops. But I ask my colleagues, can we honestly say we really have done all we can and should to support our troops? I think the answer is clear: No, we can't. We have not.

Look at the facts. Our Army and Marine Corps are stretched to the breaking point, short on personnel, training, and equipment. Our Navy has fallen dangerously below 300 ships. Our Air Force is forced to cut 57,000 people in uniform in the next 5 years. Everybody in this Chamber knows—and all Americans know, too—about the terrible conditions of Walter Reed's Building 18 and the larger crisis in health care for

our soldiers and our veterans lurking just beneath it. No one can possibly look at our troops and our veterans today and feel satisfied that we are doing all we should to support them.

I know some say these problems are only temporary, that once we leave Iraq, everything is going to be fine for our troops and our military. But this war is not just about Iraq; it is a global conflict with Islamist extremists who have declared war on most of the rest of the world. Even if the war in Iraq ended tomorrow and all our troops could magically be withdrawn, tens of thousands of our soldiers will still be needed in Afghanistan, throughout the Middle East, in the Balkans, in the Horn of Africa, and everywhere else freedom is being challenged. Even if the war in Iraq ended tomorrow, our military would still be twice as busy as it was during the Cold War, confronting the inhumane and brutal threat of radical Islam and guarding against the rise of a hostile superpower elsewhere in the world.

Let me put the matter I am discussing in the context of American history, the history of America at war, and the extent to which our Government has mobilized and our people have shared the sacrifice.

During the Second World War, our Government raised taxes, and we spent as much as 30 percent of our gross domestic product to defeat fascism and nazism. During the war in Korea, we raised taxes again and spent 14 percent of our GDP on our military. During Vietnam, we raised taxes—again because we needed to—and we spent 9 percent of our GDP on the military. Today, in the midst of a war against a brutal and unconventional enemy, in a dangerous world, we have cut taxes and are spending less than 5 percent of our gross domestic product to support our military.

We need to confront the reality that the defense of freedom is not cheap. Our soldiers know that, their families know that, but we as a society don't seem to know that. We are failing to pay the full price which it is our obligation as citizens of this great democracy to pay to protect our security and our liberty. In contrast to past wars, we are failing as a society to share in shouldering the cost of this war against Islamist extremists.

In his 1942 State of the Union Address, just a few weeks after the deadly surprise attack on Pearl Harbor, President Franklin Roosevelt spoke to our Nation about the sacrifice demanded of a democracy that is sending its bravest into harm's way to defend our way of life, and I quote: "War costs money," President Roosevelt said. "That means taxes and bonds and bonds and taxes. In a word, it means an all-out war by individual effort and family effort in a united country."

We have a responsibility in this Congress in our time to give our troops the support they need in the world war we are engaged in against the terrorists

who attacked us on September 11—and attempt to do so again—and that means, and I quote Roosevelt again, “an all-out war by individual effort and family effort in a united country.”

Every American has a responsibility to share in the burden our soldiers are now carrying in defense of our freedom. We simply must pay the cost of this war more adequately and equitably than we are today. It is not an acceptable answer to push the sacrifice of this war against terrorism onto our children and grandchildren through deficit spending, as we have been doing. It is not an acceptable answer to pay the cost of this war by squeezing some important domestic programs, as we have been doing. It is a false choice, I would argue, to suggest we must skimp at home in order to protect our security abroad. We are a great nation, a great economy, and we are capable of doing both. That was the America of Franklin Roosevelt, the America of Harry Truman, the America of John F. Kennedy, and the America of Ronald Reagan, and that must be the America of today.

Of course everyone in this Chamber supports our troops. Now it is time to translate that support into national policy. It is time to put our money where our mouth is. That is why I filed an amendment to enact a support-our-troops tax to help pay for the war against radical Islam. Because we are each threatened by this inhumane enemy, each of us should contribute a little more to guarantee its defeat and our survival.

The support-our-troops tax I have introduced and envision would be a progressive increase for all Americans who pay income taxes. The revenues from this tax would only be able to be spent for our troops and the care of our veterans and must be on top of any other funds that would otherwise have been appropriated for them.

My amendment today and the tax increase it proposes will not weaken our resilient economy, it will not deprive the American people of the many comforts they enjoy, but it will begin to restore a sense of shared service and sacrifice to our people and a sense of fiscal responsibility to our Government. It will begin to provide all that is required by our military to achieve victory in the long war in which we are engaged.

We all prefer lower taxes, but we live in a time in history that requires more than what we prefer—a moment when we must appreciate what kind of Nation we are, the blessings of liberty we enjoy, and we must understand what we must do together to preserve the security and freedom we cherish.

I have decided not to ask for a vote on this amendment tomorrow. In fact, I would say that I filed it as a plea, as an opening argument to my colleagues to join together in doing what is right and necessary to give our troops and veterans the support they deserve. My purpose is to begin a legislative effort

that I hope will ultimately succeed in securing the additional revenues our troops and our veterans need.

We will not solve this problem today, but we cannot afford to put it off much longer. It is imperative that this Congress address the need for a genuine national mobilization, a sharing of sacrifice in order to prevail in the long war we are fighting. Let us truly put meaning in the declaration that we, each and every American, support our troops as they put their lives at risk for us.

I also will offer a second amendment I have introduced, and this one I have done with Senator COLLINS, the ranking member of our Homeland Security Committee. It would strengthen targeted areas of our homeland security effort. In this case, I will call up this amendment at the appropriate time and hope it is accepted by unanimous consent with the support of the chairman and ranking member of the Budget Committee. Let me take just a moment to explain what it does.

The administration's budget proposal for fiscal year 2008 underfunds critical homeland security priorities, and while the committee resolution currently before the Senate is a major improvement over the President's request and returns key homeland security programs to their fiscal year 2007 funding levels—understand I am saying returns these programs to the levels they are funded at now, not increases them—I believe it still must be strengthened in two critical areas.

This amendment I have introduced with Senator COLLINS would add an extra \$731 million to this budget resolution for two specific grant programs.

First, it would direct \$400 million for grants to improve the capabilities of first responders to communicate with one another across jurisdictional and geographic lines. The remaining \$331 million would go toward the Emergency Management Performance Grants Program that helps emergency managers throughout our country plan and prepare for disaster. We propose to pay for these investments with an across-the-board budget cut to administrative accounts, thereby adding nothing to the budget deficit.

More, not less, must be done to strengthen an all-hazards approach to homeland security to ensure we are prepared to respond to terrorist attacks like 9/11 as well as natural disasters like Katrina.

Last week, in passing S. 4, the Improving America's Security Act, the Senate voted to authorize a \$3.3 billion interoperability grant program over 5 years, beginning with \$400 million in fiscal year 2008, next year. This amendment that Senator COLLINS and I are introducing would keep that promise by enabling the appropriation of that \$400 million for the advancement of a system by which our first responders can communicate with each other with certainty in a time of disaster.

Similarly, the Senate, in S. 4, last week substantially increased funding

for the Emergency Management Performance Grants Program to help ensure that our States and localities are prepared for all hazards. I ask my colleagues to support this bipartisan amendment so we can fulfill the promise we made to our first responders and emergency planners when we passed S. 4 last week.

Mr. President, this amendment strengthens targeted areas of our homeland security effort which were neglected by the budget proposal from the White House. And while the committee resolution currently on the floor is a major improvement over the President's inadequate request, and returns key programs to their fiscal year 2007 funding levels, I believe that it still must be strengthened in this critical area. My amendment would add an extra \$731 million to this budget resolution for two specific grant programs for first responders and emergency managers that will help them plan, train, exercise, prepare for, and respond to catastrophic events. I propose to pay for these new investments with an across-the-board budget cut to administrative accounts, thereby adding nothing to the Federal deficit.

Mr. President, September 11, 2001 changed our lives forever. We face new threats and must prepare accordingly. But the administration's budget proposal indicates it has turned its back on the lessons of September 11, 2001. And the Federal response to Hurricane Katrina and the subsequent mismanaged recovery proved for all to see that we are still a nation unprepared for catastrophe. More, not less, must be done to strengthen an all-hazards approach to ensure that we are prepared to respond to terrorist attacks as well as natural disasters. The President's budget request does not reflect that imperative, which is why I proposed to the Budget Committee chairman and ranking member an additional \$3.4 billion above the President's proposal.

Given the financial limitations before us, however, I have decided to offer this scaled-down amendment. Of the \$731 million in additional spending I am proposing, \$400 million would be for grants to improve the capabilities of first responders to communicate with one another across jurisdictional and geographic lines. The remaining \$331 million would be directed toward the Emergency Management Performance Grants, EMPG, Program that helps emergency managers plan and prepare for disaster.

We know our first responders don't have the training, equipment, and frequently the manpower they need to do their jobs properly. Most don't even have the basic capability to communicate with one another across jurisdictional and functional lines, and the response to Hurricane Katrina showed us that, sometimes during a major catastrophe, they can't communicate at all. Yet the President's budget continues a 4-year trend in cuts to first responders—a 40-percent reduction since

2004. And the President proposes nothing at all for fiscal year 2008 to promote interoperable communications specifically.

Most of my colleagues in the Senate know that a sustained Federal commitment is needed to improve the ability of our first responders to communicate with one another in the face of disaster. Unfortunately, time and again, disasters occur, and police, firefighters, and emergency medical workers are unable to exchange information with each other. Lives are lost as a result.

That is what happened on 9/11. The story of the communication breakdown among New York City's first responders is well known. And it is well known because it cost the lives of some of the bravest Americans who rushed to the aid of their fellow citizens. But it occurred at each of the 9/11 disaster sites.

Then came Katrina. The storm decimated communications infrastructure throughout Mississippi and Louisiana, and once again, difficulties in communicating among officials and first responders significantly impeded rescue and relief efforts.

Like many of the homeland security challenges we face, achieving nationwide operability and interoperability will require significant resources. While we don't know the exact price tag, we do know the costs will be significant, which is why we created a dedicated interoperability grant program for first responders in S. 4—the Senate-passed 9/11 Commission recommendation implementation bill, also known as the Improving America's Security Act of 2007.

That legislation authorizes \$3.3 billion over 5 years beginning with \$400 million in fiscal year 2008. The amendment I am introducing would match this amount in the budget resolution before us today.

Secondly, the EMPG Program is a long-standing and effective program whose cost is shared equally between Federal and State governments. EMPG grants are an essential building block in preparing for disasters of all types. They support critical functions such as the planning, training, and exercising that undergird almost all other preparedness efforts, whether for natural disasters or acts of terrorism. EMPG grants are therefore a distinct and important complement to those homeland security grants focused primarily on preventing, preparing for and responding to terrorism.

By enabling States to create better plans, EMPG grants also help ensure that the other money provided by the Federal Government is spent more effectively.

The former head of the National Emergency Management Association, who also is the Director of Emergency Management for the State of Alabama, testified before the Homeland Security and Governmental Affairs Committee that having EMPG funds available for planning actually saves money for States, localities, and the Federal Gov-

ernment. For example, in one county in Alabama, where EMPG funds were used to develop a debris removal plan, the county was able to cut the cost in half of having debris removed after a disaster compared to other counties that did not have similar plans. If you spread those savings over millions of cubic feet of debris, the savings—of costs that would have otherwise been reimbursed by the Federal Government—really add up. In other words, the more we plan, the more efficiently we can utilize the funding that is available.

Again, like the interoperability grants, the Senate has already recognized the importance of the EMPG Program in S. 4, which substantially increases the authorized funding for EMPG to help ensure that our States and localities are prepared for all hazards. We should begin to fulfill the promise of S. 4 here.

Mr. President, we must learn the dual lessons of September 11, 2001, when terrorists attacked us on our shores killing 3,000 innocent civilians, and August 29, 2005, when a predicted and catastrophic hurricane leveled much of the gulf coast, causing 1,300 deaths, billions of dollars worth of damage, and untold amounts of grief.

Our enemies are ruthless and choose their own battlefields, and nature will strike in unpredictable ways, year after year. Yet many of our Nation's security gaps remain wide open. There is no cheap way to be better prepared.

I urge my colleagues to support this amendment so that we can fulfill the promise we made to our first responders and emergency planners when we passed S. 4 last week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that following Senator CASEY, I be allowed to speak for up to 10 minutes, that I be followed by Senator ISAKSON for up to 10 minutes, and Senator GREGG for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise tonight to speak about an amendment that I believe will pave the way to expand quality preschool education for our Nation's children. I believe, as so many people in this Senate believe, that we must invest in our children in the dawn of their lives, as Hubert Humphrey said many years ago. The reason we must do that is, if we don't invest in them in the dawn of their lives, we can't expect them to be healthy, we can't expect them to learn and to grow and to have all the benefits that we hope any of our children would have as they move into school and begin to move into the future together.

I thank Senator CONRAD for the work he has done on this budget resolution and allowing us the ability to offer amendments like this. In particular, on

this subject matter both Senator KENNEDY and Senator DODD not only have done great work over many years, but in particular this year, and their staffs have helped on this issue as well. I appreciate that.

My amendment is simple. It creates a deficit-neutral reserve fund for expanding preschool education to children of low-income families. It is my hope the Congress can come together in a bipartisan way on legislation to expand access to preschool education for children, especially children of low-income families—but it would not be so limited. We could also cover children of lower and middle-income families as well.

Mr. President, you know well—you have spoken about this—we already have two great programs that help our children among several but two that I will mention tonight. We have Head Start and the Child Care Development Block Grant Program. These are programs that we know work. They deliver results for those children and for our country. So I believe both Head Start and the Child Care Development Block Grant Program are good investments for those children, for their families, and for our future. I believe Head Start and the Child Care Development Block Grant Program should receive the funding they need from Congress this year in this budget.

At the same time, I also believe a preschool program for early learning that I speak of tonight will complement and add to and enhance the ability of these other programs to help our children. I also believe that by setting up a deficit-neutral reserve fund, this amendment will eventually require offsets. But I also think when we do that we are speaking not just of a program that should work but a program that will be fiscally responsible and maintain fiscal discipline.

I want to make sure that in this amendment, in this budget process we are engaged in right now, that we leave flexibility for the Health, Education, Labor and Pensions Committee and the Senate itself to create a preschool assistance program for the States. I believe this amendment does that. I hope this flexibility will allow us to work across the aisle in a bipartisan fashion on the parameters of this program and its eventual costs.

Early childhood education has been a priority of mine for many years and had been a priority of mine in State government as the auditor general and State treasurer of Pennsylvania. In the Senate it will continue to be a top priority for me. I have been a strong advocate for improving the quality and safety of childcare in my home State of Pennsylvania, and I will continue to do that in the Senate.

We know this: study after study shows that investments in pre-K are not just good for that child and not just good for that child's family but, of course, for the State in which they live and for our whole country. We hear a

lot of talk in this Chamber about growing the economy, making sure people have the ability to be entrepreneurs, to invest and to grow and to make money and to build our economy. That is great and we all support that. But if we really are serious about growing the economy of America today and into the future, I believe we must invest in our children. We know these programs pay dividends for our children and for our future.

I believe the Bush administration should not only put together the right kind of budget—and I have been critical of many aspects of the President's proposal—but I think the administration should increase funds for Head Start, not cut them. It should increase funds for the Child Care Development Block Grant Program, and at the same time we must help our States in their efforts to establish quality prekindergarten education programs so that all children, no matter what their background, can enter school ready to learn.

Investments in our children and early childhood education should be a top national priority, something that should have bipartisan support. I believe it will and it does. By working to make sure that every child is ready to learn when they enter school and by nurturing our children during their early years, we make an investment that pays dividends to the child and for the country.

I urge all my colleagues to support this amendment.

Mr. BYRD. Mr. President, I am concerned about the use of the so-called function 920 account to offset amendments to the budget resolution.

The budget resolution sets the aggregate level of discretionary spending for the coming fiscal year. Within that maximum level of discretionary spending, the budget resolution displays certain nonbinding levels of discretionary spending that are divided between 20 major functions, including function 050 for defense, function 150 for international affairs, function 400 for transportation, function 550 for health, and so on. Function 920 is a kind of catch-all account, which displays the budget effects from initiatives that cannot be easily categorized into the other budget functions, such as an across-the-board spending cut.

When a Senator offers an amendment to increase spending in one discretionary account, such as function 400 for transportation or function 550 for health, and then directs the Appropriations Committee to find unspecified savings in the function 920 account, it creates an expectation for increased resources when none are produced. Such amendments do not increase the maximum level of discretionary spending allowed by the budget resolution falsely raise expectations that more money is available for certain spending programs. In reality, this is a shell game amounting to shifting funds around without any actual consequence.

Function 920 has a legitimate accounting purpose. That purpose, however, is not to create the illusion of progress for public consumption and a press release.

Mr. ROCKEFELLER. Mr. President, amendment No. 591 would create a deficit neutral reserve fund and would allow for legislative action by the Finance Committee to improve the child support enforcement system as long as the costs were offset.

The child support program has collected more than \$23 billion for 17 million children participating in the program. The Congressional Research Service found that this program is one of the most important safety net programs reducing poverty rates for working families.

Unfortunately the Deficit Reduction Act, DRA, made deep cuts in this enforcement funding. A preliminary estimate by the Congressional Budget Office indicates that \$11 billion in child support payments will go uncollected over the next 10 years, even if States backfill half of the lost Federal funds.

Child support payments allowed more than 300,000 families to close their Temporary Assistance to Needy Families cases in 2004. Families go on welfare less often and leave sooner when they receive reliable support payments. In addition, Federal costs for Medicaid, food stamps, and other means-tested programs decrease when both parents support their children.

The child support program collected \$4.58 in private dollars for every \$1 spent by Federal, State, and county governments. The Office of Management and Budget rated the child support program as one of the most effective government programs.

As States implement the cuts in the DRA, fewer children will receive reliable support from their parents. States and counties will collect support less consistently and it will take longer to establish paternity and support orders. Employer outreach initiatives will be curtailed. Domestic violence services and initiatives to help low-income fathers work and stay involved with their children will be reduced or eliminated. Interstate enforcement will be less dependable.

As program resources are reduced, a State's ability to meet Federal performance measures will deteriorate. A downward spiral in performance will further decrease State program funds and increase penalty risks. Counties in particular rely on performance incentive funding to operate. The performance gap will widen between States and counties able to backfill funds and those that cannot.

Mr. CRAIG. Mr. President, I have sought recognition to comment on veterans funding in this budget resolution. The Democrats have put forward a resolution that proposes to increase veterans discretionary spending by 18 percent—this is on top of a 12 percent increase that was included in last month's joint funding resolution. I

have also heard that billions more will be proposed for veterans in the war supplemental.

Spending proposals of this magnitude in any area of Government should rightfully raise a few eyebrows and be met with a healthy level of scrutiny. Veterans programs are no exception. Taxpayers will continue to support higher veterans expenditures only to the extent we can assure them that those expenditures are absolutely necessary, will not be wastefully spent, and will meet our highest priorities. The Budget Committee chairman stated as much in his opening remarks on Tuesday.

Let me be clear. I am absolutely committed to providing the highest quality of care to our veterans. I have supported a 70 percent increase in VA medical care since President Bush took office. I have spoken frequently about not sparing any expense when it comes to getting the highest quality of care to our Iraq and Afghanistan veterans and veterans with disabilities. I have even introduced legislation that allows all veterans with service-connected disabilities to seek care outside of the VA system if that is what they prefer.

But what I see in this resolution is an effort to use the legitimate needs of our war wounded as a pretext to support funding increases that are beyond reason and that actually may harm the care provided to the veterans who are our No. 1 priority.

Let me point out a couple of areas where I think this budget fails our highest priority veterans and taxpayers.

The Democrats' budget proposes an extra \$1.1 billion to allow new "Priority 8" veterans to enroll for VA health care. Now who are these Priority 8 veterans? Priority 8 veterans are veterans with no service-connected disabilities and higher incomes. They were granted comprehensive access to VA health care back in 1996 at a time when we thought their care could be provided on a budget-neutral basis. We were wrong. Priority 8 veterans then enrolled in such large numbers that quality and timely health care to VA's service-disabled and indigent patients began to be compromised.

In January 2003, Secretary Principi used authority granted to him by Congress to suspend new enrollment of Priority 8 veterans. His rationale was simple:

VA is maintaining its focus on the health care needs of its core group of veterans—those with service-connected disabilities, the indigent and those with special health care needs.

Taking the action he did on the eve of the war in Iraq was the right thing to do. He rightly instituted a policy that focused our limited resources on those for whom VA was established—our war injured and veterans who need VA the most.

All I have been hearing from the Democrats for the last 2 years is how we must not make our OIF/OEF veterans wait in lines for mental health

care, TBI treatment, or other specialty care. I agree! That is why their proposal puzzles me. At a time of war, when we're trying to get quicker access to VA care for our OIF/OEF and service-disabled veterans, how does allowing an increase in the patient load help matters? Where is the sense of priority here? It is like we are trying to keep a ship afloat by pouring tons of water onto the deck. It doesn't make sense.

For those who think that simply providing more money permits VA to automatically increase its capacity to see new patients, think again. It takes time to hire quality medical personnel. It takes time to find space to accommodate additional medical appointments and patients. Since 2003 VA has been able to improve the amount of time it takes to schedule primary and specialty care appointments so that more than 94 percent of such appointments are scheduled within 30 days of the veteran's desired date. Why would we risk longer waiting times for our OIF/OEF veterans and service-disabled veterans?

Furthermore, is this new spending fiscally prudent at a time when VA budgets have been growing at double-digit rates? There are 24 million veterans in the United States; only 5.3 million use VA health care now. Have the longterm cost implications of opening the system to all veterans been considered in this budget? Have we contemplated the multibillion dollar unfunded liability we are creating here if millions more Priority 8 veterans show up for free care?

Let me move on to another area that concerns me.

The chairman of the Budget Committee made it a point to show how his budget meets or exceeds the recommendations of the independent budget. That is all well and good, but when the IB is used to set budget policy for the Congress, then a fair evaluation of the budget numbers is in order. Let's look at one account in particular—general operating expenses. The Budget Committee chairman quite proudly stated that his budget meets the IB recommendation of \$2.23 billion for this account.

The largest portion of this account funds the administration of VA's benefits programs, to include its backlogged claims processing system. The administration has submitted a proposal that would provide VBA with the highest number of claims processors in its history. In fact, the President's budget will result in what will have been a 61 percent increase in claims processing staff since 1997. While I support the President's budget, it is time we tried a new approach to fixing the backlog of disability claims. Simply providing more and more money to fix the problem does not solve the problem.

What do we have with the Democrats' budget? On top of the President's

record increase, the IB recommends an extra \$700 million: roughly \$100 million for new information technology spending, and \$600 million for additional staff. According to unofficial VA estimates, 600 million would buy over 10,000 VBA employees, almost double the size of the existing bureaucracy? VA cannot accommodate a staffing influx of this size in 1 year. It would have to lease hundreds of thousands of square feet and additional facilities all over the country. More money would be needed for communication services, utilities, personal computers and IT support staff.

Is this rational? Have the long-term costs been factored in? Was VA's ability to provide space for these employees factored in? Does the incoming workload command a bureaucracy of that enormous size? As ranking member of the Veterans' Affairs Committee, I have not seen any data to substantiate a request of that magnitude. I have even asked the authors of the IB to justify the number, but have yet to receive a response.

We are not talking about chump change here. If an error was made by the IB, and I suspect one was, then we should fix it before it is perpetuated.

Let me conclude with this final observation. VA has been criticized in recent years for its very public budget gaffes. The General Accountability Office rightly condemned VA for "errors in estimation" and "inaccurate assumptions" that led to the VA funding shortfall of 2005. I would caution my colleagues that we, in this budget resolution, may be repeating those same mistakes by providing money that VA could not prudently spend. It may be politically expedient to reflexively throw more money at problems. But let's also not forget about our obligations to the American taxpayer.

#### MORNING BUSINESS

Mr. CASEY. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GENOCIDE ACCOUNTABILITY ACT OF 2007

Mr. DURBIN. Mr. President, I rise to speak about S. 888, the Genocide Accountability Act. It is a bipartisan bill I have introduced with Senator TOM COBURN of Oklahoma, Senator PATRICK LEAHY of Vermont, and Senator JOHN CORNYN of Texas.

This Genocide Accountability Act is the first legislation produced by the Judiciary Committee's new Subcommittee on Human Rights and the Law, which I chair and Senator COBURN serves as ranking member.

I wish to thank organizations that have endorsed this act, including Afri-

ca Action, the American Jewish World Service, Amnesty International USA, the Armenian Assembly of America, the Armenian National Committee of America, the Genocide Intervention Network, Human Rights First, Human Rights Watch, Physicians for Human Rights, Refugees International, and the Save Darfur Coalition.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the organizations I have just mentioned supporting this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 15, 2007.

Hon. RICHARD J. DURBIN,  
Hon. TOM COBURN,  
*Subcommittee on Human Rights and the Law,  
Senate Committee on the Judiciary, Wash-  
ington, DC.*

DEAR CHAIRMAN DURBIN AND RANKING MEMBER COBURN: We write to express our strong support for the Genocide Accountability Act. We believe this legislation, a product of the Subcommittee on Human Rights and the Law's inaugural hearing on genocide, is necessary in order to enable the United States to lead the world in bringing perpetrators of the most serious human rights crimes to justice. We look forward to its swift enactment into law.

Winston Churchill once remarked that the extermination of Jews in Europe was "a crime without a name." That inspired Raphael Lemkin to name it, and he then devoted his life to codifying the crime of genocide in international law. Lemkin's work culminated in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. The most serious human rights crime had a name, but since 1988, when the United States formally ratified the treaty, genocide has been a crime under U.S. law only in the narrowest of circumstances.

The Genocide Implementation Act (18 U.S.C. 1091), enacted in 1987 as a prerequisite to the United States becoming a party to the Genocide Convention, provides jurisdiction over the crime of genocide only in circumstances where the perpetrator is a U.S. citizen or the crime took place in the United States. Since the time that law was enacted, the world's pledge that it would "never again" tolerate mass slaughter has been mocked again and again—in Bosnia, in Rwanda and now in Darfur. As the violence in Darfur rages into its fifth year, the United States must do all it can to deter those who act with seeming impunity, including by removing any barriers to prosecution in this country of those responsible for genocide.

The Genocide Accountability Act would accomplish this by enabling the Department of Justice to prosecute foreign nationals suspected of genocide who are present in the United States. This is not merely a theoretical concern. The Justice Department has already identified individuals who may have participated in the Rwandan and Bosnian genocides and are currently living in the United States under false pretenses, but current law fails to provide jurisdiction to charge them with that crime.

Like the pirate and the slave trader, perpetrators of genocide are rightly considered to be the enemies of all mankind. The United States must not remain passive when those



suspected of genocide enter or are found in its territory. By eliminating barriers to prosecution, as the United States has done in the cases of hostage-taking, torture, and other serious crimes, the Genocide Accountability Act will ensure that perpetrators of genocide do not evade accountability when they are present in the United States. We welcome its introduction and strongly urge its enactment into law.

Sincerely,

Africa Action, American Jewish World Service, Amnesty International USA, Arab American Institute, Armenian National Committee of America, Center for American Progress Action Fund, Genocide Intervention Network, Human Rights First, Human Rights Watch, Open Society Policy Center, Physicians for Human Rights, Refugees International, Save Darfur Coalition.

Mr. DURBIN. Mr. President, I thank Senator LEAHY for allowing the creation of this new subcommittee in Judiciary that is known as Human Rights and the Law. It is the first time in the 218-year history of the Senate such a committee has been designated, and I am honored to serve as its chair.

After our first hearing on genocide in Darfur, we decided it was time to close the legal loopholes that prevent the U.S. Justice Department from prosecuting people in our country who have committed genocide. This legislation is a result of our first hearing. We heard about these gaps in the law and found them hard to believe. Unlike the laws of torture, piracy, material support for terrorism, terrorism financing, hostage taking, and many other Federal crimes, laws related to genocide do not allow the arrest and prosecution in the United States of people who are not U.S. citizens, or who have not committed the act of genocide in our Nation. Of course, those are few and far between. There is no reason to treat genocide, perhaps the worst crime known to humanity, differently than any of these crimes.

During the Human Rights Subcommittee's hearings, we heard from Romeo Dallaire. He is now a member of the Canadian Senate, and he was the general in charge of the U.N. peacekeeping force in Rwanda in 1994. He tried desperately to stop that genocide, and many people refused to even listen. Two notable exceptions were former colleagues in the Senate: my predecessor, Senator Paul Simon of Illinois, and a man whom I respect very much and recently retired, Senator Jim Jeffords of Vermont. They appealed to the Clinton administration to send troops into Rwanda—just a small force to stop the massacre—but sadly, the administration did not respond. President Clinton has said it was the worst mistake of his administration. His candor and honesty are appreciated, but we should learn from that mistake.

Despite all of the world's solemn promises, today in Darfur, in western Sudan, another genocide rages. In a region of 6 million people, hundreds of thousands have been killed, and over 2 million people have been displaced. For them, the commitment of "never

again" rings very hollow. Earlier this month, Sudan's President Omar Hassan al-Bashir sent a letter to the U.N. Secretary General rejecting the core elements of the plan to send U.N. peacekeepers to Darfur. Bashir claimed that U.N. and African peacekeeping forces have no authority to protect civilians in his country, saying Sudan bears the primary responsibility.

Four years into the genocide, the claim that the Khartoum regime will protect civilians in Darfur is not only implausible, it is offensive. President Bashir has thumbed his nose at the international community. The question is: How will we respond, once having declared a genocide?

Last week a U.N. human rights team reporting on Darfur called for U.N. Security Council intervention, tougher sanctions, and criminal prosecution of guilty parties. They also called for the international community's response to the genocide in Darfur immediately.

The U.N. human rights team is led by Jody Williams, a genuine American hero who won the Nobel Peace Prize for her efforts to ban landmines. Upon completing her investigation of Darfur, Ms. Williams had a message for the international community. She said:

If you're not prepared to act on what you say, don't say it.

Jody Williams is right. We have to do more than just talk about genocide in Darfur. Today, joined by Senator SAM BROWNBACK, a Republican of Kansas, and 30 of my colleagues, I sent a letter to the President urging him to put the question of meaningful multilateral sanctions to a vote before the U.N. Security Council. We have been told in the past that one of the permanent members of this council may veto the resolution. I say: So be it. Let that nation stand up in front of the world and say they are going to veto this effort to stop this mass murder.

We recognize there are political risks to advancing this strategy, but it is time to weigh those risks against the damage that is being done and the verdict of history. It is our moral obligation to do everything we can to stop this genocide in Darfur.

Another important step is to make clear the commitment of the United States to hold accountable those who are guilty of this ultimate crime. It is hard to imagine that individuals in the Sudanese Government whom we have identified as being involved in genocide have come to the United States and have been treated as visiting dignitaries, and have traveled with impunity around our Nation. It is hard to imagine we would turn our back on the fact of what they have done in their own home country.

I am pleased the International Criminal Court is moving forward with this investigation into the Darfur genocide, but that does not excuse the United States from its obligation to prosecute war criminals who seek safe haven or even travel in the United States.

It is not just Darfur. The Justice Department has identified individuals

who participated in the Rwandan and Bosnian genocides living now in the United States under false pretenses. How can we let the United States be a safe haven for those who are guilty of genocide around the world? The fact is the law is on their side. American law doesn't give us the authority to arrest and prosecute these individuals, and that is why I have introduced this legislation, to change the law and let them know they can no longer seek a safe haven in the United States.

The Genocide Accountability Act says if you commit genocide anywhere in the world and come to the United States, America will hold you accountable under the law. This is the first legislation produced by the Human Rights Subcommittee. There will be more bills to follow. But I doubt the subcommittee or any other committee in Congress will face another issue as compelling as this genocide in Darfur.

In 1862, 1 month before he signed the Emancipation Proclamation, President Abraham Lincoln sent a message to Congress proposing to end slavery. His words reach us even today when he said:

We—even we here—hold the power and bear the responsibility.

Those words remain true. We here, even now, hold the power and bear the responsibility to do all we can to stop this genocide. Enacting the Genocide Accountability Act is an important step to ending impunity for perpetrators of genocide.

Mr. President, I urge my colleagues to support this legislation. I ask unanimous consent that the letter which was sent to the President be printed in the RECORD.

Mr. President, I yield the floor.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, March 22, 2007.

The President,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: We write to you as Members of Congress who are deeply concerned about the ongoing genocide in Darfur and equally frustrated by the inability or unwillingness of the international community to put a halt to it. Last August, the United Nations Security Council passed UNSC Resolution 1706, which expanded the mandate of the United Nations Mission in Sudan to include Darfur and stated that over 20,000 military and civilian police personnel were to be deployed as peacekeepers in the region. Over six months have passed and fewer than 200 UN personnel have been deployed because of the Sudanese government's refusal to comply with what the Security Council has authorized.

History demonstrates that Sudan's leadership does not respond to this type of request. We believe that it is time for the Security Council to enact a new resolution, imposing multilateral economic sanctions on the Sudanese government and targeted sanctions on individuals named by the UN Commission of inquiry as being responsible for crimes against humanity.

We recognize that previous U.S.-led efforts to move stronger resolutions at the Security

Council have been deterred by the threat of a veto by one or more of the Permanent Members. We frankly urge you to introduce and push for a vote on a resolution imposing multilateral sanctions regardless. Let a country stand before the community of nations and announce that it is vetoing the best effort we can muster to build the leverage necessary to end ongoing mass murder.

There are political risks to advancing this strategy, but we urge you to weigh those risks against the verdict of history if we fail to try. If the Security Council does not act, the United States should engage with our allies to create a coalition that will impose economic penalties on the Sudanese government. The United States has already implemented a number of unilateral sanctions, and we understand that you are considering still more, a development that we would applaud. However, the real key to changing Khartoum's behavior most likely lies in multilateral sanctions, especially those aimed at the Sudanese oil industry.

We encourage you to put this matter before the United Nations Security Council as soon as possible. A threatened veto should not silence us.

We know that you share our commitment to this issue and we commend your courage in recognizing this genocide for what it is. We look forward to continuing our efforts until a timely solution to the crisis in Darfur is found.

Sincerely,

Dick Durbin, Joe Biden, Carl Levin, Russell D. Feingold, Bill Nelson, Joe Lieberman, Mary Landrieu, Sam Brownback, John E. Sununu, Mel Martinez, Jack Reed, Tom Harkin, Barbara A. Mikulski, Barack Obama, Robert Menendez, Dianne Feinstein, John Cornyn, Susan Collins, Wayne Allard, Mark Pryor, Richard Burr, Sherrod Brown, Olympia Snowe, Frank R. Lautenberg, Amy Klobuchar, Mike Crapo, Maria Cantwell, Elizabeth Dole, Patty Murray, Hillary Rodham Clinton, Chris Dodd, Jim Webb, John F. Kerry, Pat Roberts.

#### ADDITIONAL STATEMENTS

##### HONORING JOHN COOPER

• Mr. THUNE. Mr. President, today I wish to recognize former South Dakota Game, Fish and Parks Department Secretary John Cooper, who received the Outdoor Life Conservation Award from Outdoor Life magazine. This prestigious award reflects his tremendous service to South Dakota and his commitment to wildlife conservation.

Mr. Cooper has been honorably serving the State of South Dakota for over 30 years. He spent 22 years with the Law Enforcement Division of the U.S. Fish and Wildlife Service, where he worked tirelessly to conserve and protect South Dakota's diverse wildlife. In 1995, he was appointed Secretary of South Dakota's Department of Game, Fish and Parks, a position that he held until earlier this year. He also spent years leading committees for the Association of Fish and Wildlife Agencies and in 2006 served as its president. In addition to his government duties, Mr. Cooper served as an editor and columnist for Dakota Outdoors magazine for 14 years.

Mr. Cooper's service to South Dakota has been, and will continue to be, vital to the health and wellbeing of our State. It gives me great pleasure to rise with Mr. Cooper and to offer my congratulations for this well-deserved award. I wish him continued success in the years to come.●

##### HONORING THE REV. DR. JOHN LOUIS WRIGHT

• Mr. CARDIN. Mr. President, today I wish to honor my dear friend and fellow Marylander, the Rev. Dr. John Louis Wright, for his exemplary 35 years of service as pastor of First Baptist Church of Guilford and for his work as a community leader and civil rights activist.

Pastor Wright is a native of Baltimore City and a shining product of the Baltimore City public school system. Since 1972, he has served as pastor of the First Baptist Church of Guilford, shepherding the church through periods of tremendous growth while faithfully serving its members and the surrounding community.

As a civil rights leader, Pastor Wright is a life member of the NAACP, and he has served as both president of the Howard County Chapter of the NAACP and the Maryland NAACP. He currently serves as director of the Maryland Baptist Aged Home.

Following Hurricane Floyd in 1999, Pastor Wright spearheaded flood relief efforts in North Carolina through the "Twelve Baskets Ministry," bringing much needed supplies to people left homeless by the hurricane.

Preventing handgun violence is an issue of particular importance to Pastor Wright. A 1997 graduate of the Federal Bureau of Investigation's Citizens' Academy in Baltimore, he is a member of the Maryland State Governor's Commission on Handgun Violence and Marylanders Against Handgun Violence.

Pastor Wright's efforts reach far beyond our shores. He has traveled around the world, sharing his warmth and wisdom in countries as diverse as Egypt, Israel, South Africa, Switzerland, and China. While in Israel, Pastor Wright continued his work by baptizing people in the Jordan River.

I am extremely proud of Pastor Wright's 35 years of dedicated service to his church and community and wish him many more years of continued success and good health.●

##### HONORING LARRY E. GABRIEL

• Mr. THUNE. Mr. President, today I wish to honor South Dakota Secretary of Agriculture Larry E. Gabriel. This month, Secretary Gabriel retired after nearly 7 years in office since his appointment in May of 2000.

Secretary Gabriel was born and raised on a ranch in western South Dakota and received his bachelor of science degree in agricultural economics at South Dakota State University.

While in college, he was recognized as the 1969 Doane's Outstanding Agricultural Economics Student.

Throughout his career, Secretary Gabriel has spent many years committed to public service, including roles as Haakon County Commissioner from 1975 to 1982 and State legislator from 1983 to 1998. He spent 6 years as the house majority leader while in the South Dakota House of Representatives, and currently serves as a member of the hospital board in Philip, SD.

Secretary Gabriel's dedication to South Dakota agriculture has made a defining impact in strengthening and sustaining the economy of our State. His strong support of rural economic development and assistance to young producers has brought increased vitality and prosperity to our agriculture industry.

I also would like to recognize Secretary Gabriel's wife Charlotte and his family for their support and sacrifice which allowed him to serve South Dakota for over 30 years.

It is with great honor that I remember and honor the service provided by Secretary Larry E. Gabriel to South Dakota. May he always be recognized for his lifetime of service to South Dakota agriculture. On behalf of a grateful State, I wish Secretary Gabriel all the best in his retirement.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 327. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.

H.R. 740. An act to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes.

H.R. 797. An act to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational

assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter "V" for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.

H.R. 1130. An act to amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, and for other purposes.

H.R. 1284. An act to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 327. To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans; to the Committee on Veterans' Affairs.

H.R. 740. An act to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes; to the Committee on the Judiciary.

H.R. 797. To amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter "V" for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers; to the Committee on Veterans' Affairs.

H.R. 1130. An act to amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1284. An act to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1130. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to probable violations of the Antideficiency Act; to the Committee on Appropriations.

EC-1131. A communication from the Secretary, Federal Trade Commission, transmit-

ting, pursuant to law, a report relative to the actions taken by the Commission under the Fair Debt Collection Practices Act during fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-1132. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "6-Benzyladenine; Exemption from the Requirement of a Tolerance" (FRL No. 8117-9) received on March 20, 2007; to the Committee on Environment and Public Works.

EC-1133. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois" (FRL No. 8290-5) received on March 20, 2007; to the Committee on Environment and Public Works.

EC-1134. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New York: Incorporation by Reference of State Hazardous Waste Management Program" (FRL No. 8278-2) received on March 20, 2007; to the Committee on Environment and Public Works.

EC-1135. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Listing of Ozone Depleting Substitutes in Foam Blowing" ((RIN2060-AN11)(FRL No. 8291-3)) received on March 20, 2007; to the Committee on Environment and Public Works.

EC-1136. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Treatment of Data Influenced by Exception Events" ((RIN2060-AN40)(FRL No. 8289-5)) received on March 20, 2007; to the Committee on Environment and Public Works.

EC-1137. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a document recently issued by the Agency related to its regulatory programs entitled "RCRA Section 3103 Guidance Manual"; to the Committee on Environment and Public Works.

EC-1138. A communication from the Director, Office of Personnel Management, transmitting, the report of a legislative proposal intended to facilitate the part-time reemployment of annuitants; to the Committee on Homeland Security and Governmental Affairs.

EC-1139. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports relative to the United States Courts; to the Committee on the Judiciary.

EC-1140. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1141. A communication from the General Counsel, Department of Defense, transmitting, legislative proposals for the consideration of the Congress; to the Committee on Armed Services.

EC-1142. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1143. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska" (ID No. 022607C) received on March 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC-1144. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less than 60 ft. LOA Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area" (ID No. 022607B) received on March 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC-1145. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2006; to the Committee on Commerce, Science, and Transportation.

EC-1146. A communication from the Senior Legal Advisor, Office of General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Preventing Undue Discrimination and Preference in Transmission Service" (Docket Nos. RM05-17-000 and RM05-25-000) received on March 22, 2007; to the Committee on Energy and Natural Resources.

EC-1147. A communication from the Attorney, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Alternative Fuel Transportation Program; Alternative Compliance" (RIN1904-AB66) received on March 21, 2007; to the Committee on Energy and Natural Resources.

EC-1148. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Update of Filing Fees" (RIN1902-AD18) received on March 22, 2007; to the Committee on Energy and Natural Resources.

EC-1149. A communication from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska, Subpart C and D—2007–2008 Subsistence Taking of Fish and Shellfish Regulations" (RIN1018-AU57) received on March 22, 2007; to the Committee on Environment and Public Works.

EC-1150. A communication from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Spikedace and the Loach Minnow" (RIN1018-AU33) received on March 22, 2007; to the Committee on Environment and Public Works.

EC-1151. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Final Rule Designating the Greater Yellowstone Area Population of Grizzly Bears as a Distinct Population Segment; Removing the Yellowstone

Distinct Population Segment of Grizzly Bears from the Federal List of Endangered and Threatened Wildlife" (RIN1018-AT38) received on March 22, 2007; to the Committee on Environment and Public Works.

EC-1152. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Administration's position on several health system reform proposals; to the Committee on Finance.

EC-1153. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007-33–2007-40); to the Committee on Foreign Relations.

EC-1154. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice Regulation and Investigational New Drugs" (Docket No. 2005N-0285) received on March 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-1155. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Substances Approved for Use in the Preparation of Meat and Poultry Products; Announcement of Effective Date" (Docket No. 1995N-0220) received on March 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-1156. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice Regulation and Investigational New Drugs; Withdrawal" (Docket No. 2005N-0285) received on March 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-1157. A communication from the Director, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts in the State of Oklahoma; to the Committee on Homeland Security and Governmental Affairs.

EC-1158. A communication from the Director, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts in the State of Illinois; to the Committee on Homeland Security and Governmental Affairs.

EC-1159. A communication from the Director, Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Traumatic Injury Protection Rider to Servicemembers' Group Life Insurance" (RIN2900-AM36) received on March 22, 2007; to the Committee on Veterans' Affairs.

EC-1160. A communication from the Director, Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Medical: Informed Consent—Designate Health Care Professionals to Obtain Informed Consent" (RIN2900-AM21) received on March 22, 2007; to the Committee on Veterans' Affairs.

EC-1161. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the impact and effectiveness of projects funded by the Administration for Native Americans in fiscal year 2005; to the Committee on Indian Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2007" (Rept. No. 110-36).

By Mr. BYRD, from the Committee on Appropriations, without amendment:

S. 965. An original bill making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes (Rept. No. 110-37).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR (for himself and Mr. COLEMAN):

S. 957. A bill to provide for the collection and maintenance of amniotic fluid and placental stem cells for the treatment of patients and research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SESSIONS (for himself, Mrs. MURRAY, Mr. COCHRAN, Mr. KERRY, Mr. LOTT, Mr. AKAKA, Mr. BURR, Mr. DODD, Mr. DOMENICI, Mr. BINGAMAN, and Mrs. LINCOLN):

S. 958. A bill to establish an adolescent literacy program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Mr. REID, Mr. ALEXANDER, Ms. MIKULSKI, Mr. MENENDEZ, Mr. DODD, and Mr. DURBIN):

S. 959. A bill to award a grant to enable Teach for America, Inc., to implement and expand its teaching program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Mr. SPECTER, Ms. MIKULSKI, Mrs. BOXER, Mr. BIDEN, Ms. LANDRIEU, Mr. KENNEDY, and Mrs. HUTCHISON):

S. 960. A bill to establish the United States Public Service Academy; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska (for himself, Mr. STEVENS, and Mr. BROWNBACK):

S. 961. A bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. TESTER, Mr. BUNNING, Mr. SALAZAR, Mr. OBAMA, and Mr. WEBB):

S. 962. A bill to amend the Energy Policy Act of 2005 to reauthorize and improve the carbon capture and storage research, development, and demonstration program of the Department of Energy and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 963. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 964. A bill to require States and Indian tribes to designate specific highway routes

for the transportation of hazardous materials and the long-distance transportation of solid waste; to the Committee on Commerce, Science, and Transportation.

By Mr. BYRD:

S. 965. An original bill making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCHUMER:

S. 966. A bill to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes; to the Committee on Foreign Relations.

By Mr. AKAKA:

S. 967. A bill to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER (for herself, Mr. SMITH, Mr. DURBIN, and Mr. BROWN):

S. 968. A bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes; to the Committee on Foreign Relations.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KENNEDY):

S. 969. A bill to amend the National Labor Relations Act to modify the definition of supervisor; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH (for himself, Mr. DURBIN, Mr. LAUTENBERG, Mr. COLEMAN, Mr. LIEBERMAN, Mr. BROWNBACK, Mr. BAYH, Mr. KYL, Mr. THUNE, Ms. MIKULSKI, and Mr. MENENDEZ):

S. 970. A bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes; to the Committee on Finance.

By Mr. BOND (for himself and Mr. HARKIN):

S. 971. A bill to establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG (for himself, Mr. KENNEDY, Mrs. MURRAY, Mr. SCHUMER, Mrs. BOXER, Mr. HARKIN, and Mr. BROWN):

S. 972. A bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. DURBIN, and Ms. COLLINS):

S. 973. A bill to amend the Mandatory Victims' Restitution Act to improve restitution for victims of crime, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. BAYH, Mr. LEVIN, Mr. GRAHAM, Mr. COCHRAN, Ms. SNOWE, Mr. HARKIN, Ms. STABENOW, Mr. DURBIN, and Mr. SCHUMER):

S. 974. A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself, Mr. MCCAIN, Mr. KERRY, Mr. WARNER, Mr. ALLARD, Mr. BIDEN, Mr. GRASSLEY, Ms. LANDRIEU, Mr. LUGAR, Mr. HARKIN, Mr. INHOFE, Mrs. CLINTON, Ms. COLLINS, Mr. DODD, Mr. ROBERTS, Mr. REED, Mr. DOMENICI, Mr. SALAZAR, Mr. VOINOVICH, Mr. LEVIN, Mr. VITTER, Ms. MIKULSKI, Mr. BURR, Mr. NELSON of Nebraska, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SCHUMER, Ms. CANTWELL, Mr. BROWN, Mr. DURBIN, Ms. MURKOWSKI, Mr. KENNEDY, Mr. SPECTER, Mrs. MCCASKILL, Mr. BROWNBAC, Mr. OBAMA, Mr. CRAPO, Mr. PRYOR, Mr. STEVENS, Mr. NELSON of Florida, Mr. SUNUNU, Mr. TESTER, Mr. CRAIG, Mr. CONRAD, Mr. GRAHAM, Mr. BYRD, Mr. LAUTENBERG, Mr. INOUE, Mr. AKAKA, Mr. BAUCUS, Mrs. FEINSTEIN, Mrs. BOXER, Mr. COLEMAN, Mr. CHAMBLISS, Mr. CORKER, Mr. ENSIGN, Mr. MCCONNELL, Ms. STABENOW, Mr. LOTT, Mr. CARDIN, Ms. SNOWE, Mr. DORGAN, Mr. ENZI, and Mr. ALEXANDER):

S. Res. 117. A resolution commemorating the 25th anniversary of the construction and dedication of the Vietnam Veterans Memorial; to the Committee on Veterans' Affairs.

By Mr. LEVIN (for himself, Ms. COLLINS, and Mr. BIDEN):

S. Res. 118. A resolution urging the Government of Canada to end the commercial seal hunt; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 119. A resolution to authorize testimony by a former detailee of the Committee on the Judiciary; considered and agreed to.

By Mr. CHAMBLISS (for himself and Ms. LANDRIEU):

S. Res. 120. A resolution designating March 22, 2007, as National Rehabilitation Counselors Appreciation Day; considered and agreed to.

By Mr. BROWNBAC (for himself and Mr. ROBERTS):

S. Con. Res. 23. A concurrent resolution expressing the sense of Congress that provisions that provoke veto threats from the President should not be included on bills that appropriate funds for the implementation of recommendations of the Base Closure and Realignment Commission; to the Committee on Appropriations.

#### ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 117

At the request of Mr. OBAMA, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 117, a bill to amend titles 10 and 38, United States Code, to improve benefits and services for members of the Armed Forces, veterans of the Global War on Terrorism, and other veterans, to require reports on the effects of the Global War on Terrorism, and for other purposes.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana

(Ms. LANDRIEU) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 288

At the request of Mr. KERRY, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 288, a bill to amend titles 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor.

S. 368

At the request of Mr. BIDEN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 369

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 369, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001.

S. 469

At the request of Mr. BAUCUS, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 474

At the request of Mrs. HUTCHISON, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Colorado (Mr. ALLARD), the Senator from Utah (Mr. BENNETT), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBAC), the Senator from North Carolina (Mr. BURR), the Senator from Mississippi (Mr. COCHRAN), the Senator from Minnesota (Mr. COLEMAN), the Senator from Maine (Ms. COLLINS), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. ENSIGN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Mississippi (Mr. LOTT), the Senator from Florida (Mr. MARTINEZ), the Senator from Arizona (Mr. MCCAIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Kentucky (Mr. MCCONNELL), the Sen-

ator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Nebraska (Mr. NELSON), the Senator from Florida (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. SALAZAR), the Senator from Alabama (Mr. SESSIONS), the Senator from Alabama (Mr. SHELBY), the Senator from Oregon (Mr. SMITH), the Senator from Maine (Ms. SNOWE), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Alaska (Mr. STEVENS), the Senator from Montana (Mr. TESTER), the Senator from Wyoming (Mr. THOMAS), the Senator from South Dakota (Mr. THUNE), the Senator from Louisiana (Mr. VITTER), the Senator from Virginia (Mr. WARNER), the Senator from Virginia (Mr. WEBB), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Nevada (Mr. REID), the Senator from Michigan (Ms. STABENOW) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 474, a bill to award a congressional gold medal to Michael Ellis DeBaKey, M.D.

S. 491

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 491, a bill to clarify the rules of origin for certain textile and apparel products.

S. 579

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 580

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 580, a bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes.

S. 604

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health

care services under the health care programs of the Department of Defense, and for other purposes.

S. 626

At the request of Mr. KENNEDY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 638

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 644

At the request of Mrs. LINCOLN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes.

S. 694

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 721

At the request of Mr. ENZI, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 721, a bill to allow travel between the United States and Cuba.

S. 749

At the request of Mr. NELSON of Florida, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 749, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 773

At the request of Mr. WARNER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 823

At the request of Mr. OBAMA, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 823, a bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV/AIDS and other diseases, and for other purposes.

S. 829

At the request of Ms. MIKULSKI, the name of the Senator from Georgia (Mr.

CHAMBLISS) was added as a cosponsor of S. 829, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 881

At the request of Mrs. LINCOLN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

AMENDMENT NO. 489

At the request of Mr. DEMINT, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 489 proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

AMENDMENT NO. 491

At the request of Mr. ALLARD, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of amendment No. 491 proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

AMENDMENT NO. 504

At the request of Mr. BAUCUS, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Michigan (Ms. STABENOW), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. DODD) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 504 proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

At the request of Mr. HATCH, his name was added as a cosponsor of amendment No. 504 proposed to S. Con. Res. 21, *supra*.

AMENDMENT NO. 511

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of amendment No. 511 proposed to S.

Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

AMENDMENT NO. 517

At the request of Mrs. HUTCHISON, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of amendment No. 517 proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

AMENDMENT NO. 518

At the request of Mr. SMITH, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Alaska (Mr. STEVENS), the Senator from New York (Mrs. CLINTON), the Senator from Maine (Ms. COLLINS), the Senator from California (Mrs. FEINSTEIN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Virginia (Mr. WARNER), the Senator from Florida (Mr. MARTINEZ), the Senator from Ohio (Mr. VOINOVICH) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of amendment No. 518 intended to be proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

AMENDMENT NO. 521

At the request of Mr. ALLARD, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of amendment No. 521 intended to be proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SESSIONS (for himself, Mrs. MURRAY, Mr. COCHRAN, Mr. KERRY, Mr. LOTT, Mr. AKAKA, Mr. BURR, Mr. DODD, Mr. DOMENICI, Mr. BINGAMAN, and Mrs. LINCOLN):

S. 958. A bill to establish an adolescent literacy program; to the Committee on Health, Education, Labor, and Pensions.

Mr. SESSIONS. Mr. President, today Senator MURRAY and I are pleased to introduce the Striving Readers Act, for the eight million middle and high school students across this country who are not reading well enough to



succeed in school. I thank Senator MURRAY for her longstanding leadership on this issue, as well as the Alliance for Excellent Education, the International Reading Association, and the National Association of Secondary School Principals. I also thank my colleagues, Republican and Democrat, who have agreed to cosponsor the bill Senator COCHRAN, Senator KERRY, Senator LOTT, Senator AKAKA, Senator BURR, Senator DODD, Senator DOMENICI, Senator BINGAMAN, and Senator LINCOLN. I thank them for their support and for demonstrating that improving reading and writing in every grade is something we all can get behind.

This important bill will help schools in every State ensure our adolescents read and write well enough to learn in school, graduate on time, and succeed in college and the workplace. Better literacy is the cornerstone to improving student achievement in all subjects, lowering dropout rates, and ensuring students do well when they go on to college or the workforce. A recent study by the American College Testing Program (ACT) found that students with better literacy skills in high school do better in their math, science, and social studies courses both in high school and in college.

The Striving Readers Act marks an important effort to improve reading for the older student. Last year, Congress appropriated \$1 billion for the Reading First program available for every State to ensure children read by the third grade. That was an important step, and we have seen 4th grade reading scores rise nationally because of it. However, research shows that many readers who test well in 4th grade do not carry that knowledge into upper grades. We must not risk squandering the investment Congress has already made for younger students.

Seventy percent of our middle and high school students read below grade level. That means we must continue our support for ongoing programs that reflect the needs of the older student for more advanced vocabulary and comprehension skills. All students, throughout their K-12 educational experience, deserve adequate support to ensure they graduate on time with appropriate skills and knowledge that meet the demands of the 21st century.

To be sure, some problems with the Reading First program have surfaced. Let me assure you that the Striving Readers bill addresses those problems to ensure the law and its implementation are fair, transparent, and driven by research, not special interests. Interestingly, many in my State have told me that the law is good and showing results; the problems have come with poor implementation.

Low literacy skills don't just cost the student; they cost our economy because students don't learn what they should in school. The National Center for Education Statistics found that 53 percent of undergraduates require re-

mediation. One-half of these students required a remedial writing course, and 35 percent took remedial reading. That means community colleges spend \$1.4 billion every year catching kids up to where they should have been when they graduated. The Mackinac Center for Public Policy reports an estimated \$16.6 billion in remediation costs to the U.S. economy each year. This means that America's businesses and colleges are spending \$16.6 billion teaching high school graduates skills they should have learned in high school.

America's declining competitiveness in the global economy is due in part to sub-par literacy skills. International comparisons of reading performance placed American 11th graders close to the bottom, behind students from the Philippines, Indonesia, Brazil, and other developing nations. Our high school graduates continue to lag, as employers move jobs overseas, not for the low-cost labor alone, but also to tap into the highly literate, motivated, and technologically skilled workers that other nations can offer them.

The Striving Readers Act will help our Nation raise its literacy levels and compete in a global arena. We can do this. Research shows that adolescents with lagging literacy skills can master college material if they receive good literacy instruction in school.

Specifically, the Striving Readers bill would do the following:

Help States create statewide literacy initiatives, share data on student progress with parents and the public, and improve teacher training and professional development in literacy so that all students receive high quality instruction.

Help districts and schools create plans to improve literacy, including targeted interventions for students far below grade level, top notch assessments for all students, training for teachers in every subject to incorporate literacy strategies, and regular data to improve teaching and learning.

Allow districts and schools to hire and place literacy coaches, train parents to support the literacy development of their child, and connect learning inside the classroom with learning that takes place outside the classroom.

Ensure States, districts, and schools participate in a rigorous evaluation that demonstrates student progress.

Require the Federal Government to complete an overall evaluation of the program to determine its impact on the Nation's middle and high schools.

I am proud to say that my State has been working on this issue for a long time. In 1998 Alabama launched the Alabama Reading Initiative (ARI), a statewide program designed to ensure every student in grades K to 12 is proficient in reading. We provide ongoing, research-based training to teachers in all subjects so that every educator can help students struggling to read. Fortunately, the Alabama Reading Initiative is now in every elementary school in the State. Unfortunately, fewer mid-

dle and high schools have been able to take part, due to limited funding. This is true in other States as well.

For those schools in the program we have seen great gains. ARI schools have made great progress, and those that have had the benefit of additional funding from the Federal Reading First program have shown even more rapid, dramatic gains. Many of you have heard of the outstanding impact of the Alabama Reading Initiative, primarily for younger children. It is time for us to develop new methods to meet the needs of students in the upper grades who are reading and writing below grade level. I applaud Alabama's leadership on this important issue as they work to expand the Alabama Reading Initiative into middle and high schools, and I am honored to offer legislation to promote this effort on the national level. I would like to thank Governor Riley for his commitment to the Alabama Reading Initiative, and Dr. Katherine Mitchell, whose enthusiasm and hard work has made the success of ARI a reality for Alabama's children. Alabama has become a model for the Nation, and I am so proud of the progress they have made.

The Federal Government cannot and should assume the responsibility for education from the States. But we can develop research, supply seed money, and provide leadership to help States make advancements, without unnecessary mandates. We can leverage success in places like Alabama to shine a light for others.

We know that, given the right instruction and opportunity, children can learn to read and write well and use that knowledge to achieve at higher levels of education. I hope that our colleagues in the Senate will join Senator MURRAY and me in supporting the Striving Readers Act. And I hope we will authorize Striving Readers as part of No Child Left Behind so that children in every State have the reading skills they need to succeed in school, college, and the workplace.

Ms. MURRAY. Mr. President, today Senator SESSIONS and I are pleased to introduce the Striving Readers Act. This bipartisan bill will help America's middle and high school students gain the literacy skills they need to succeed in school and graduate ready for college and the workplace.

I want to thank Senator SESSIONS for his work on this issue and for shining a light on his State's success in raising literacy achievement. I also want to thank our original cosponsors Senators AKAKA, BINGAMAN, DODD, KERRY, LINCOLN, BURR, COCHRAN, DOMENICI, and LOTT for partnering with us. Finally, I offer thanks to our staff, Kathryn Young and Liz Stillwell, who have worked on this bill, and the Alliance for Excellent Education, the International Reading Association, and the National Association of Secondary School Principals for their work.

Our bill addresses a serious problem. Today 8 million middle and high school

students across the Nation cannot read well enough to succeed in school. This contributes to their likelihood to disengage and drop out. Those that do graduate too often falter when they begin college or work and then need remediation.

All around the country educators and stakeholders are working to improve literacy, and this bill gives us a way to support their efforts. We know that literacy is at the base of every academic subject, and it is crucial to student academic success.

Our bill will engage and reinvigorate those students on the brink of failure. The Striving Readers Act constitutes a comprehensive effort to give States, districts, and schools the resources they need to ensure every student reads and writes well enough to succeed. It would provide grants to every State to develop State literacy initiatives that guide and support districts and schools to improve reading and writing. It would provide grants to districts and schools to assist students who are below grade level and to train teachers in core subjects in literacy strategies for all students. It would also provide new information on what works for struggling readers by conducting evaluations of programs.

This bill could not come at a more important time. In Washington State, 66 percent of 8th graders read below "Proficient" on the National Assessment of Educational Progress. These students, who are at the bottom in terms of achievement, are more likely to drop out than those at the top. Among this group, minority students' scores are of particular concern. Seventy-three percent of Washington State's African-American students and 85 percent of Hispanic students read below the "Proficient" level. These students are falling behind, and they need our support.

I'm pleased to report that my State has made great efforts to remedy the problem of low literacy levels. My State launched the Washington State Reading Initiative in 2003 to provide support to struggling readers in every grade, including middle and high school. Since then, our K-12 Reading Model has attracted national attention as a systematic reform model. Our program includes statewide training for teachers to identify and provide intervention for students at all grade levels. My State trains teachers in all subjects to teach reading strategies to students. And my State provides guidance to teachers and administrators for applying best practices in classrooms. But they should not have to continue these efforts alone.

The challenges we face in Washington are not unique; every State struggles with adolescent literacy. Nationally 71 percent of 8th graders and 65 percent of 12th graders read below grade level. It should not surprise us, then, that only 34 percent of American teenagers graduate with the skills they need to do well in college or in the workforce.

If we are to remain globally competitive, Congress must authorize and fund a significant adolescent literacy investment for every State. The Striving Readers Act would fulfill this need. As a country, we currently only substantially support reading initiatives through the third grade. International comparisons of reading performance placed American 11th graders close to the bottom, behind students from the Philippines, Indonesia, Brazil, and other developing nations. The Striving Readers Act will help support these middle and high schoolers and help our Nation raise its literacy levels to compete in a global market.

Students are not the only ones who pay the price for low literacy achievement. With every student who falls behind, our economy suffers. The National Center for Education Statistics found that 53 percent of undergraduates require remediation. One-half of these students required a remedial writing course, and 35 percent took remedial reading. That means community colleges spend \$1.4 billion every year catching kids up to where they should have been when they graduated. The Mackinac Center for Public Policy reports that America's businesses and colleges are spending \$16.6 billion each year to teach graduates what they should have learned in middle and high school. This is a costly consequence of failing to intervene in a timely manner. We must not continue to make this mistake at the expense of students' futures.

The good news is that research shows we can help struggling students make progress. For example, research shows that adolescents with lagging literacy skills can master college material if they receive high quality literacy instruction in school. In fact, a recent study by ACT found that students with better literacy skills in high school do better in their math, science, and social studies courses—both in high school and in college. Better literacy is the foundation for improving student achievement in all subjects, lowering dropout rates, and ensuring students do well when they go on to college or the workforce. The Striving Readers bill provides a path for this.

Specifically, the Striving Readers bill would: Help States create statewide literacy initiatives, share data on student progress to parents and the public, and improve teacher training and professional development in literacy so that all students receive high quality instruction.

Help districts and schools create plans to improve literacy, including targeted interventions for students way below grade level, top notch assessments for all students, training for teachers in every subject to incorporate literacy strategies, and regular data to improve teaching and learning.

Allow districts and schools to hire and place literacy coaches, train parents to support the literacy development of their child, or connect learning

inside the classroom with learning that takes place outside the classroom.

Ensure States, districts, and schools participate in a rigorous evaluation that demonstrates student progress.

Require the Federal Government to complete an overall evaluation of the program to determine its impact on the Nation's middle and high schools.

The Striving Readers Act comprises a necessary and urgent investment in adolescent students. We created the Reading First program to strengthen students' reading skills in the elementary grades. While I do have major concerns with the implementation of this program, the intent of the law and the commitment to elementary reading skills is undoubtedly positive. But with reading proficiency stagnating after 4th grade, it is clear that we need a significant investment in the higher grades as well. In crafting the Striving Readers bill, we took steps to correct and guard against implementation concerns, and I believe that this bill will provide the critical resources, training, and evaluation to implement high quality adolescent literacy initiatives around the country.

I introduced the PASS Act, first in 2003, and in subsequent legislation, to take a comprehensive approach to improving student achievement in our Nation's high schools, including use of literacy and math coaches, as well as research-based support for high schools with the most need. The Striving Readers Act will complement this and allow States and schools to effectively address the literacy needs of adolescents in 4th grade and up.

Now is the time to invest in literacy for older students and make their success a reality. This issue cannot wait any longer. I hope that my colleagues in the Senate will join Senator SESSIONS and me in supporting the Striving Readers Act. And I hope we will authorize Striving Readers as part of No Child Left Behind so that children in every State have the reading skills they need to succeed in school, college, and the workplace.

By Mrs. CLINTON (for herself, Mr. REID, Mr. ALEXANDER, Ms. MIKULSKI, Mr. MENENDEZ, Mr. DODD, and Mr. DURBIN):

S. 959. A bill to award grant to enable Teach for America, Inc., to implement and expand its teaching program; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation to increase the number of high-need school districts and communities served by Teach For America. My legislation will address the need to build a pipeline of talented teachers to prepare our children to compete in the global economy.

As the teaching population ages, more and more schools will face significant shortages of qualified and motivated teachers. Schools across the country will need to replace at least 1 million teachers over the next ten

years. Our Nation's inner cities and rural communities will be even harder hit as their teachers move to suburban schools or leave the teaching profession altogether. That is why I am sponsoring the Teach For America Act.

Teach For America is the national corps of exceptional recent college graduates of all academic majors who commit two years to teach in public schools. Teach For America's corps members and alumni become lifelong leaders in the effort to ensure that all children in our Nation have an equal chance to succeed in life. Since its inception in 1990, more than 12,000 individuals have joined Teach For America, directly impacting the lives of over 2 million students in under-resourced schools across the country.

This legislation will help Teach For America grow to over 7,500 corps members in 32 communities teaching over 600,000 low-income students every day. It will do so by providing funding for Teach For America to expand its program of recruiting, selecting, training, and supporting new teachers.

Teach For America's alumni lead the way for fundamental long-term change across the country. After their two years of service, 63 percent of Teach For America alumni remain in education as teachers, principals, school founders and policy advisors. Others, equipped with insight gained through their classroom experience, go on to work in a variety of fields—including law, medicine, and social work—and continue to increase opportunities for children living in low-income communities.

The Teach For America Act addresses the need to effectively build a corps of dedicated, talented college graduates to teach and make a lasting impact in our underserved communities. I am hopeful that my Senate colleagues from both sides of the aisle will join me in moving this legislation to the floor without delay.

By Mrs. CLINTON (for herself, Mr. SPECTER, Ms. MIKULSKI, Mrs. BOXER, Mr. BIDEN, Ms. LANDRIEU, Mr. KENNEDY, and Mrs. HUTCHISON):

S. 960. A bill to establish the United States Public Service Academy; to the Committee on Homeland Security and Governmental Affairs.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation that will create an undergraduate institution designed to cultivate a generation of young leaders dedicated to public service. The United States Public Service Academy Act, (The PSA Act), will form a national academy to serve as an extraordinary example of effective, national public education.

The tragic events of September 11 and the devastation of natural disasters such as Hurricanes Katrina and Rita underscore how much our Nation depends on strong public institutions and competent civilian leadership at all levels of society.

We must take a step forward in the 110th Congress with a positive agenda to ensure competent civilian leadership and improve our Nation's ability to respond to future emergencies and to confront daily challenges. That is why Senator SPECTER and I have come together to sponsor the PSA Act.

This legislation will create the U.S. Public Service Academy to groom future public servants and build a corps of capable civilian leaders. Modeled after the military service academies, this academy will provide a four-year, federally-subsidized college education for more than 5,000 students a year in exchange for a five year commitment to public service.

The PSA Act will meet critical national needs as the baby-boomer generation approaches retirement. Already, studies show looming shortages in the Federal civil service, public education, law enforcement, the non-profit sector and other essential areas. Academy graduates will help to fill the void in public service our Nation will soon face by serving for five years in areas such as public education, public health, and law enforcement.

Unfortunately our young people are priced out of public service careers all too often with the average college graduate owing more than \$20,000 in student loans. A recent study conducted by the Higher Education Research Institute found that more than two-thirds of the 2005 freshman class expressed a desire to serve others, the highest rate in a generation. By providing a service-oriented education at no cost to the student, the PSA Act will tap into the strong desire to serve that already exists among college students while erasing the burden of enormous college debt.

The establishment of a United States Public Service Academy is an innovative way to strengthen and protect America by creating a corps of well-trained, highly-qualified civilian leaders. I am hopeful that my Senate colleagues from both sides of the aisle will join me today to move this legislation to the floor without delay.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. TESTER, Mr. BUNNING, Mr. SALAZAR, Mr. OBAMA, and Mr. WEBB):

S. 962. A bill to amend the Energy Policy Act of 2005 to reauthorize and improve the carbon capture and storage research, development, and demonstration program of the Department of Energy and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I am pleased to be able to introduce the Department of Energy Carbon Capture and Storage Research, Development, and Demonstration Act of 2007, along with my co-sponsors, Senators DOMENICI, TESTER, BUNNING, SALAZAR, OBAMA, and WEBB. This bipartisan bill reauthorizes and improves the carbon capture and storage program at the De-

partment of Energy that was first explicitly authorized in the Energy Policy Act of 2005. With the attention that the topic of global warming has been getting, it is becoming ever clearer that we need answers to the practical questions of what needs to occur so that we can decide on the role that carbon capture and storage will play in our future energy system. This bill, as well as a bill that has previously been referred to the Committee on Energy and Natural Resources, S. 731, begins to lay the foundation for a bipartisan and effective approach to these issues.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 962

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Energy Carbon Capture and Storage Research, Development, and Demonstration Act of 2007".

#### SEC. 2. CARBON CAPTURE AND STORAGE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

Section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293) is amended—

(1) in the section heading, by striking "RESEARCH AND DEVELOPMENT" and inserting "AND STORAGE RESEARCH, DEVELOPMENT, AND DEMONSTRATION";

(2) in subsection (a)—

(A) by striking "research and development" and inserting "and storage research, development, and demonstration"; and

(B) by striking "capture technologies on combustion-based systems" and inserting "capture and storage technologies related to energy systems";

(3) in subsection (b)—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(5) to expedite and carry out large-scale testing of carbon sequestration systems in a range of geological formations that will provide information on the cost and feasibility of deployment of sequestration technologies."; and

(4) by striking subsection (c) and inserting the following:

"(c) PROGRAMMATIC ACTIVITIES.—

"(1) ENERGY RESEARCH AND DEVELOPMENT UNDERLYING CARBON CAPTURE AND STORAGE TECHNOLOGIES.—

"(A) IN GENERAL.—The Secretary shall carry out fundamental science and engineering research (including laboratory-scale experiments, numeric modeling, and simulations) to develop and document the performance of new approaches to capture and store carbon dioxide.

"(B) PROGRAM INTEGRATION.—The Secretary shall ensure that fundamental research carried out under this paragraph is appropriately applied to energy technology development activities and the field testing of carbon sequestration activities, including—

"(i) development of new or improved technologies for the capture of carbon dioxide;

"(ii) modeling and simulation of geological sequestration field demonstrations; and

"(iii) quantitative assessment of risks relating to specific field sites for testing of sequestration technologies.

“(2) FIELD VALIDATION TESTING ACTIVITIES.—

“(A) IN GENERAL.—The Secretary shall promote, to the maximum extent practicable, regional carbon sequestration partnerships to conduct geologic sequestration tests involving carbon dioxide injection and monitoring, mitigation, and verification operations in a variety of candidate geological settings, including—

- “(i) operating oil and gas fields;
- “(ii) depleted oil and gas fields;
- “(iii) unmineable coal seams;
- “(iv) saline formations; and
- “(v) deep geologic systems that may be used as engineered reservoirs to extract economical quantities of heat from geothermal resources of low permeability or porosity.

“(B) OBJECTIVES.—The objectives of tests conducted under this paragraph shall be—

- “(i) to develop and validate geophysical tools, analysis, and modeling to monitor, predict, and verify carbon dioxide containment;
- “(ii) to validate modeling of geological formations;
- “(iii) to refine storage capacity estimated for particular geological formations;
- “(iv) to determine the fate of carbon dioxide concurrent with and following injection into geological formations;
- “(v) to develop and implement best practices for operations relating to, and monitoring of, injection and storage of carbon dioxide in geologic formations;
- “(vi) to assess and ensure the safety of operations related to geological storage of carbon dioxide; and
- “(vii) to allow the Secretary to promulgate policies, procedures, requirements, and guidance to ensure that the objectives of this subparagraph are met in large-scale testing and deployment activities for carbon capture and storage that are funded by the Department of Energy.

“(3) LARGE-SCALE TESTING AND DEPLOYMENT.—

“(A) IN GENERAL.—The Secretary shall conduct not less than 7 initial large-volume sequestration tests for geological containment of carbon dioxide (at least 1 of which shall be international in scope) to validate information on the cost and feasibility of commercial deployment of technologies for geological containment of carbon dioxide.

“(B) DIVERSITY OF FORMATIONS TO BE STUDIED.—In selecting formations for study under this paragraph, the Secretary shall consider a variety of geological formations across the United States, and require characterization and modeling of candidate formations, as determined by the Secretary.

“(4) PREFERENCE IN PROJECT SELECTION FROM MERITORIOUS PROPOSALS.—In making competitive awards under this subsection, subject to the requirements of section 989, the Secretary shall give preference to proposals from partnerships among industrial, academic, and government entities.

“(5) COST SHARING.—Activities under this subsection shall be considered research and development activities that are subject to the cost-sharing requirements of section 988(b).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

- “(1) \$90,000,000 for fiscal year 2007;
- “(2) \$105,000,000 for fiscal year 2008; and
- “(3) \$120,000,000 for fiscal year 2009.”.

By Mr. MENENDEZ:

S. 963. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holo-

caust; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today to introduce the Simon Wiesenthal Holocaust Education Assistance Act. This important legislation would provide competitive grants for educational organizations to make Holocaust education more accessible and available throughout this Nation.

I would like to thank Senators LAUTENBERG and SPECTER for co-sponsoring this bill, and I commend my former colleague in the House, Congresswoman MALONEY, for her leadership on this issue.

In January, the United Nations held a ceremony to commemorate the 62nd anniversary of the liberation of Auschwitz and the second annual International Day of Commemoration in memory of the victims of the Holocaust. This event served as a reminder that people of all faiths strongly condemn the systematic, state sponsored genocide conducted by the Nazi regime.

We will forever remember the approximately six million Jewish men, women and children, as well as millions of others who faced persecution and death. And we extend our gratitude to all who risked their lives trying to save others. We also honor Simon Wiesenthal, who dedicated his life to making sure that those who perpetrated the horrors of the Holocaust were brought to justice.

After six decades, many of our youth may view the Holocaust as an event that occurred in the distant past. But the truth is this issue is part of our present day society.

Just 3 months ago, Iran held a conference in Tehran to debate whether or not the Holocaust actually happened, and the Iranian government has established a fact finding commission to examine the issue further. Such despicable acts are an insult to the millions of people who were brutalized and murdered by the Nazis and to all who stand against genocide around the world. Clearly, false and destructive messages regarding the Holocaust are still being perpetuated, and such events highlight the importance of Holocaust education abroad and within our own Nation.

Unfortunately, we have also seen that anti-Semitism continues to threaten the safety and well-being of Jewish men and women throughout the world. In February, a Polish member of the European Parliament published a booklet espousing anti-Jewish sentiments, and in Croatia, an investigation has begun after small sugar packets bearing Hitler's image and containing Holocaust jokes were found in some cafés. These tragic events underscore the need to be proactive in combating such bigotry and educating our youth.

Although some States now require the Holocaust to be taught in public schools, the Simon Wiesenthal Holocaust Education Assistance Act goes further and makes grants available to organizations that instruct students,

teachers, and communities about the dangers of hate and the importance of tolerance in our society. This legislation would give educators the appropriate resources and training to teach accurate historical information about the Holocaust and convey the lessons that the Holocaust can teach us today.

We must recognize that by remembering the millions who were murdered in the Holocaust, we create a sense of responsibility to stop genocide wherever it takes place.

It is in our common interest to raise our voices against anti-Semitism and against all hatred and discrimination. Funding accurate educational programs on the Holocaust is a step toward winning this battle.

So as America stands with Israel and all followers of the Jewish faith in condemning anti-Semitism, let us do everything in our power to end discrimination and educate future generations about the danger of hatred and bigotry.

I urge my colleagues to support this legislation.

By Mr. AKAKA:

S. 967. A bill to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to reintroduce the Federal Supervisor Training Act to enhance Federal employee and manager performance, and, in turn, agency performance.

Our Nation's public servants administer a vast array of programs designed to meet the needs of the citizens of this country, and indeed the world. These employees deserve the support and guidance of trained managers who empower them to perform effectively. Furthermore, employees must have a clear understanding of their roles and responsibilities. Training programs help managers and supervisors improve their communication skills and promote stronger manager-employee relationships.

While the Federal Government encourages management and supervisory training, the development and implementation of training programs is left to the discretion of individual agencies. This leads to inconsistent guidance on training and sometimes inadequate training due to an agency's other priorities and limited resources. Meaningful training matters. Training should not be discretionary for agencies.

Given the growing number of Federal managers who are eligible to retire, and the need to attract a robust, well-skilled workforce, it is important that employees, who are expected to manage and supervise, have the tools to do so effectively.

In January 2007, the Office of Personnel Management (OPM) released the 2006 Federal Human Capital Survey,

which showed that the federal government's employees and senior managers and leaders still face communication problems. For example, according to the survey: only 49 percent of Federal employees have a high level of respect for senior leaders in their agencies, only 41 percent say they are satisfied with their leaders' policies and practices, and only 47 percent of Federal employees said they were satisfied with the information they get from management.

Upon the release of the survey, OPM Director Linda Springer wrote, "As many senior leaders retire, the Federal Government also faces a challenge—and opportunity—to improve the effectiveness of the leadership corps across Government. We must develop the kinds of leaders who can ensure a talented and committed Federal workforce now and in the future. Our leaders will need to adapt the workplaces and opportunities they offer to attract the best and the brightest from diverse talent pools."

Good leadership begins with strong management training. It is time to ensure that Federal managers receive appropriate training to supervise federal employees. I believe the Federal Supervisor Training Act will help us reach that goal. My bill will bridge the training gap that exists now and help ensure that Federal managers have the necessary skills to communicate with and manage Federal employees.

The Federal Supervisor Training Act has three major training components. First, the bill will require that new supervisors receive training in the initial 12 months on the job, with mandatory retraining every three years on how to work with employees to develop performance expectations and evaluate employees. Current managers will have three years to obtain their initial training. Second, the bill requires mentoring for new supervisors and training on how to mentor employees. Third, the measure requires training on the laws governing and the procedures for enforcing whistleblower and anti-discrimination rights.

In addition, my bill will: set standards that supervisors should meet in order to manage employees effectively, assess a manager's ability to meet these standards, and provide training to improve areas identified in personnel assessments.

I am delighted by the support my bill has received from the Government Managers Coalition, which represents members of the Senior Executives Association, the Federal Managers Association, the Professional Managers Association, the Federal Aviation Administration Managers Association, and the National Council of Social Security Management Associations; the American Federation of Government Employees; the National Treasury Employees Union; the International Federation of Professional and Technical Engineers; the AFL-CIO, Metal Trades Department, as well as the Partnership for Public Service. I believe this broad support, from employee unions to man-

agement associations to outside good government groups demonstrates the need of mandatory training programs and passage of this bill. I urge my colleagues to support this important legislation.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 967

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Supervisor Training Act of 2007".

#### SEC. 2. MANDATORY TRAINING PROGRAMS FOR SUPERVISORS.

(a) IN GENERAL.—Section 4121 of title 5, United States Code, is amended—

(1) by inserting before "In consultation with" the following:

"(a) In this section, the term 'supervisor' means—

"(1) a supervisor as defined under section 7103(a)(10);

"(2) a management official as defined under section 7103(a)(11); and

"(3) any other employee as the Office of Personnel Management may by regulation prescribe.";

(2) by striking "In consultation with" and inserting "(b) Under operating standards promulgated by, and in consultation with,"; and

(3) by striking paragraph (2) (of the matter redesignated as subsection (b) as a result of the amendment under paragraph (2) of this subsection) and inserting the following:

"(2)(A) a program to provide interactive instructor-based training to supervisors on actions, options, and strategies a supervisor may use in—

"(i) developing and discussing relevant goals and objectives together with the employee, communicating and discussing progress relative to performance goals and objectives and conducting performance appraisals;

"(ii) mentoring and motivating employees and improving employee performance and productivity;

"(iii) effectively managing employees with unacceptable performance;

"(iv) addressing reports of a hostile work environment, reprisal, or harassment of, or by, another supervisor or employee; and

"(v) otherwise carrying out the duties or responsibilities of a supervisor;

"(B) a program to provide interactive instructor-based training to supervisors on the prohibited personnel practices under section 2302 (particularly with respect to such practices described under subsection (b)(1) and (8) of that section) and the procedures and processes used to enforce employee rights; and

"(C) a program under which experienced supervisors mentor new supervisors by—

"(i) transferring knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, and professional development; and

"(ii) pointing out strengths and areas for development.

"(c)(1) Not later than 1 year after the date on which an individual is appointed to the position of supervisor, that individual shall be required to have completed each program established under subsection (b)(2).

"(2) After completion of a program under subsection (b)(2) (A) and (B), each supervisor shall be required to complete a program under subsection (b)(2) (A) and (B) at least once during each 3-year period.

"(3) Each program established under subsection (b)(2) shall include provisions under which credit shall be given for periods of similar training previously completed.

"(d) Notwithstanding section 4118(c), the Office of Personnel Management shall prescribe regulations to carry out this section, including the monitoring of agency compliance with this section."

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Office of Personnel Management shall prescribe regulations in accordance with subsection (d) of section 4121 of title 5, United States Code, as added by subsection (a) of this section.

(c) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall take effect 180 days after the date of enactment of this Act and apply to—

(A) each individual appointed to the position of a supervisor, as defined under section 4121(a) of title 5, United States Code, (as added by subsection (a) of this section) on or after that effective date; and

(B) each individual who is employed in the position of a supervisor on that effective date as provided under paragraph (2).

(2) SUPERVISORS ON EFFECTIVE DATE.—Each individual who is employed in the position of a supervisor on the effective date of this section shall be required to—

(A) complete each program established under section 4121(b)(2) of title 5, United States Code (as added by subsection (a) of this section), not later than 3 years after the effective date of this section; and

(B) complete programs every 3 years thereafter in accordance with section 4121(c) (2) and (3) of such title.

#### SEC. 3. MANAGEMENT COMPETENCY STANDARDS.

(a) IN GENERAL.—Chapter 43 of title 5, United States Code, is amended—

(1) by redesignating section 4305 as section 4306; and

(2) inserting after section 4304 the following:

##### "§ 4305. Management competency standards

"(a) In this section, the term 'supervisor' means—

"(1) a supervisor as defined under section 7103(a)(10);

"(2) a management official as defined under section 7103(a)(11); and

"(3) any other employee as the Office of Personnel Management may by regulation prescribe.

"(b) The Office of Personnel Management shall issue guidance to agencies on standards supervisors are expected to meet in order to effectively manage, and be accountable for managing, the performance of employees.

"(c) Each agency shall—

"(1) develop standards to assess the performance of each supervisor and in developing such standards shall consider the guidance developed by the Office of Personnel Management under subsection (b) and any other qualifications or factors determined by the agency;

"(2) assess the overall capacity of the supervisors in the agency to meet the guidance developed by the Office of Personnel Management issued under subsection (b); and

"(3) develop and implement a supervisor training program to strengthen issues identified during such assessment.

"(d) Every year, or on any basis requested by the Director of the Office of Personnel Management, each agency shall submit a report to the Office on the progress of the agency in implementing this section."

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 43 of title 5, United States Code, is amended by striking the item relating to section 4305 and inserting the following:

“4305. Management competency standards.  
“4306. Regulations.”.

(2) REFERENCE.—Section 4304(b)(3) of title 5, United States Code, is amended by striking “section 4305” and inserting “section 4306”.

By Mrs. BOXER (for herself, Mr. SMITH, Mr. DURBIN, and Mr. BROWN):

S. 968. A bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes; to the Committee on Foreign Relations.

Mrs. BOXER. Mr. President, today, I rise to introduce the bipartisan Stop TB Now Act of 2007. I am joined in this effort by Senators GORDON SMITH, DICK DURBIN, and SHERROD BROWN.

For 8 years, I have worked with Senator SMITH to fight the spread of international tuberculosis. I appreciate his help on this bill. I am also grateful for the support of Senate Majority Whip DICK DURBIN, as well as Senator BROWN, who was the leader on international TB issues when he was a member of the House of Representatives.

The need for this legislation is clear. Tuberculosis kills 1.6 million people per year—1 person every 15 seconds. One-third of the world is infected with the bacteria that causes TB and an estimated 8.8 million individuals develop active TB each year. And tuberculosis is a leading cause of death among women of reproductive age and of people who are HIV-positive.

While developing nations are most heavily impacted by TB, there is also a concern here at home. My State of California has more TB cases than any other State in the country and 10 of the top 20 U.S. metro areas with the highest TB rates are in California.

The best way to treat TB is through DOTS, which stands for directly observed treatment, short course. This treatment ensures a steady and uninterrupted supply of drugs to prevent the spread of multi-drug resistant TB. It costs just \$20–100 per person to treat regular TB with DOTS. But it costs 1,400 times that amount to treat a person with multi-drug resistant TB.

Today, we face an even more dangerous problem—the outbreak of extremely drug resistant TB. In some cases, this form of TB is untreatable. In one South African town, 53 TB patients were found to have XDR-TB. All but one died. We must fully fund international TB control efforts because drug-resistant TB happens when people fail to complete treatment.

To stop the spread of tuberculosis, the international community came together last year to develop the Global Plan to Stop TB, a comprehensive assessment of the resources and actions needed to cut the number of TB deaths in half by 2015.

My bill will bring U.S. policy in line with this plan by authorizing \$330 million for fiscal year 2008 and \$450 million for fiscal year 2009, for foreign assistance programs that combat international TB. The bill also authorizes \$70 million for fiscal year 2008 and \$100 million for fiscal year 2009 for the Centers for Disease Control programs to combat international TB.

TB kills more people than any other curable disease in the world. We have a moral obligation to take the steps necessary to meet this challenge.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KENNEDY):

S. 969. A bill to amend the National Labor Relations Act to modify the definition of supervisor; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to introduce the Re-empowerment of Skilled and Professional Employees and Construction Tradeworkers Act, or RESPECT Act, a bill to amend the National Labor Relations Act to modify the definition of supervisor. I am pleased to be joined by Senators DURBIN and KENNEDY as original cosponsors and would like to acknowledge Congressman ANDREWS for championing this legislation in the House of Representatives.

The RESPECT Act would make vital changes to the definition of supervisor to ensure that no employee is unjustly denied his or her right to join a labor union. This is a very simple bill just four lines of text making a few definitional changes to the National Labor Relations Act (NLRA). Yet the livelihoods of thousands, possibly millions, of workers are at stake in those few lines. Workers designated as supervisors may not join a union or engage in collective bargaining. As a result, some employers have sought to deny many workers their right to organize by unfairly classifying them as supervisors. And unfortunately, President Bush's appointees on the National Labor Relations Board (NLRB) have upheld these unfair classifications.

The NLRB has struggled for years with the definition of supervisor. Twice in the last ten years, its attempts to define supervisory status have been reviewed and rejected by the Supreme Court. But despite this, the NLRB refused to hear oral arguments for the three decisions it handed down last October—Oakwood Healthcare, Inc., Golden Crest Healthcare Center, and Croft Metals, Inc. These decisions are known collectively as the Kentucky River decisions, after the 2001 Supreme Court case of NLRB v. Kentucky River.

The NLRB ruled that many charge nurses are supervisors, even though they have no authority to hire, fire, or discipline other employees. In the course of their responsibilities to provide the best care possible to their patients, many rank-and-file nurses occasionally rotate through a limited oversight role, such as assigning other

nurses to patients based on workload or a nurse's particular specialty. But on a pretext as slim as that, employers would keep their workers from unionizing altogether.

In the Oakwood decision, the hospital argued that 127 of its 181 nurses were supervisors. Though the NLRB found that only 12 were in fact supervisors, its decision left the door open for widespread abuse. Under its ruling, only 10 percent of a worker's time in a supervisory capacity is enough to lock him or her out of a union.

Following that precedent, another hospital declared a ludicrous number of its registered nurses to be supervisors—and an NLRB Regional Director agreed. 17 of 20 registered nurses in the Intensive Care Unit were declared supervisors; 6 of 7 in the Medical Unit; 9 of 11 in Neonatal Intensive Care; and in the Inpatient Rehabilitation Unit—all 7. Fictitious classifications like these show just how far some will go to keep workers from bargaining fairly. And, sadly, they demonstrate just how far the NLRB will go to facilitate these false and unfair classifications.

Though recent NLRB decisions have targeted nurses, the dangerous precedent they set threatens the rights of workers in countless industries. The NLRB has opened a Pandora's box: Laborers who sometimes work with assistants, or skilled craftsmen who take apprentices, can be barred from unions by the same false logic that prevents nurses from organizing.

These decisions are written on more than paper. They're written on real lives, on workers in the thousands and millions, on the dignity of their labor, the health of their children, and the security of their old age. For them, legal fiction becomes painful fact: Without their fair seat at the table, workers will possibly see lower wages, longer hours, more dangerous working conditions, and threats to their healthcare and retirement.

The services they provide will suffer as well. Take the case of nurses: Many fear retribution if they speak out on their own about unsafe practices that could endanger patients' lives. Instead, many rely on their unions to provide a strong, unified voice for improved patient care. It's in our interest to keep that voice strong—just one example of how healthy unions benefit us all.

The bill introduced today, the RESPECT Act, offers a commonsense step to protect workers' rights. It deletes the terms “assign” and “responsibly to direct” from the definition of supervisor—terms that the NLRB drastically expanded to justify its rulings. The bill also would require that, to be classified as a supervisor, an employee must actually be one by specifying that an employee must spend the majority of his or her worktime in a supervisory capacity.

That's hardly a radical innovation—in fact, it returns us to Congress's original intent. In 1947, the Senate Committee Report on amendments to



the National Labor Relations Act stated that:

the committee has not been unmindful of the fact that certain employees with minor supervisory duties have problems which may justify their inclusion in that act. It has therefore distinguished between straw bosses, leadmen, set-up men, and other minor supervisory employees, on the one hand, and the supervisor vested with . . . genuine management prerogatives.

Clearly, Congress did not intend to deny the right to organize to those workers whose jobs require only occasional and minor supervisory duties. The RESPECT Act restores that sensible precedent.

It's not by chance that the rise of the labor movement coincided with the rise of the largest and strongest middle class the world has ever seen. The achievements of the labor unions have made it possible for many working men and women to send their children to college, to store up savings for sickness, injury, and old age—to move from deprivation to dignity. The labor movement greatly contributed to the strengthening of the American middle class.

Organized labor was opposed at every step—sometimes by intimidation, sometimes by violence, sometimes by propaganda. Today it is opposed by specious reasoning and twisted definitions of a kind I've rarely seen in public life. I hope my colleagues will be moved to support this bill out of their respect for honesty alone. But add the fact that the security and dignity of so many of their constituents depend on the right to organize and bargain, and the case becomes as clear as day. I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 969

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Re-empowerment of Skilled and Professional Employees and Construction Tradesworkers Act" or the "RESPECT Act".

#### SEC. 2. AMENDMENT OF THE NATIONAL LABOR RELATIONS ACT.

Section 2(11) of the National Labor Relations Act (29 U.S.C. 152(11)) is amended—

(1) by inserting "and for a majority of the individual's worktime" after "interest of the employer";

(2) by striking "assign,"; and

(3) by striking "or responsibly to direct them,".

Mr. DURBIN. Mr. President, I come to the floor to join Senator DODD and Senator KENNEDY in introducing the Re-empowerment of Skilled Professional Employees and Construction Tradesworkers Act, also known as the RESPECT Act.

This legislation will amend the National Labor Relations Act to modify the definition of "supervisor." It is necessary because of recent rulings by

the National Labor Relations Board, which has determined that millions of workers do not fall within the definition of "supervisor." An employee who is deemed a "supervisor" under the National Labor Relations Act does not have collective bargaining rights or other labor protections.

The NLRB rulings in these so-called Kentucky River cases have an enormous impact on nurses. According to the amicus brief filed by the American Nurses Association and United American Nurses, AFL-CIO, in these cases, "[o]f the more than 2.1 million people working as registered nurses in the United States in the year 2002, 15.6 per cent were union members. Registered nurses covered by a collective bargaining agreement can earn approximately 11 per cent more per week than non-unionized nurses. . . ."

There are 800,000 nurses in this country—40,000 nurses in my home State of Illinois alone. We owe it to these nurses to find a workable definition of the term "supervisor" so that they and other professional employees and construction tradesworkers receive the labor protections that Congress intended.

The supervisor exclusion was created in 1947 when Congress adopted the Taft-Hartley amendments to the National Labor Relations Act. The Act defines "supervisor" as:

[A]ny individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

The interpretation and application of this definition has resulted in years of litigation before the NLRB and courts of appeals. The United States Supreme Court last spoke on the issue in 2001. In *NLRB v. Kentucky River Community Care, Inc.*, 532 U.S. 706 (2001), it reviewed the Board's test for determining supervisory status and rejected the Board's interpretation. The Supreme Court's decision left open the interpretation of the term "supervisor" and three cases were filed before the National Labor Relations Board to address this issue: *Oakwood Healthcare, Inc.*, Case 7-CA-22141, *Golden Crest Healthcare Center*, Cases 18-RC-16415 and 18-RC-16416, and *Croft Metals, Inc.*, Case 15-RC-8393.

The NLRB refused to hear oral argument in these cases despite the fact that its attempt to define supervisory status had been reviewed and rejected by the Supreme Court and it has been more than 5 years since the Court's decision in *Kentucky River*. In July, I joined Senator KENNEDY and other Democrats in a letter to the Chairman of the NLRB to urge that the Board reconsider its decision not to allow oral arguments in these cases. The NLRB refused.

In October 2006, the Board issued its rulings and expanded the meaning of the definition of "supervisor" by expanding the meaning of the terms "assign" and "responsibly to direct." The NLRB rulings override the intent of Congress not to exclude minor supervisory officials, professionals, skilled craftpersons, and nurses from labor protections.

Last December, I noted that several States are suffering from nursing shortages. This legislation is necessary to alleviate the nursing crisis. More than 72 percent of hospitals experience nursing shortages, and 1.2 million nursing positions need to be filled within the next decade. By denying nurses the right to collectively bargain, pay will surely decrease and the working environment of these nurses will deteriorate, thereby driving even more nurses out of the profession and discouraging individuals from entering the field.

I urge my colleagues to join Senators DODD, KENNEDY, and I in supporting the RESPECT Act—an important effort to help American nurses, other skilled professional employees, and construction tradesworkers.

By Mr. SMITH (for himself, Mr. DURBIN, Mr. LAUTENBERG, Mr. COLEMAN, Mr. LIEBERMAN, Mr. BROWNBACK, Mr. BAYH, Mr. KYL, Mr. THUNE, Ms. MIKULSKI, and Mr. MENENDEZ):

S. 970. A bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to address a serious concern more than 20 years in the making. In large part because of the secrecy over its nuclear program, America's National Security Strategy for 2006 identifies Iran as one of the greatest challenges to the United States. The Senate recognized this threat in January 2006 by unanimously condemning Iran's refusal to comply with its nuclear non-proliferation obligations. Last September, this body unanimously passed mandatory sanctions on persons who knowingly helped Iran acquire or develop weapons of mass destruction. And all the while, Tehran continued its pursuit of a nuclear program that, unchecked, will lead to a nuclear-armed Iran.

I cannot overestimate the threat that this poses to the security of the United States and our allies. Since the revolution that brought it to power, the theocracy that rules over Iran has demonstrated its contempt for the democratic ideals on which our country is based. It has held its own people hostage in an effort to maintain absolute control over their destiny. And it has spewed forth hate-filled rhetoric at regular intervals about the very existence of the state of Israel—a valued American ally in the Middle East.

After years of vigorous diplomacy by Britain, France, and Germany failed to

persuade the Iranians to give up their nuclear program, the United Nations Security Council passed a resolution in December 2006 calling for the suspension of all enrichment-related activities. Iran ignored that demand, and instead, responded by stepping up their nuclear program. Inaction in the face of such an egregious challenge is a mockery of the international institutions where diplomatic solutions are tried and tested. Now is the time to use every tool in our arsenal short of military force to stop the Iranian regime from developing nuclear weapons, and to send the message that the international community will not tolerate flagrant violations of our combined will.

I have heard the calls of my colleagues that all efforts should be made to avoid military intervention in Iran. I agree with them entirely. But Mr. President, I will not stand idle while up to 3,000 centrifuges in Natanz enrich uranium that one day soon could tip a warhead aimed at the U.S. or our allies around the world.

Today I am introducing legislation designed to persuade Tehran to give up its nuclear ambitions. The Iran Counter-Proliferation Act of 2007 will significantly strengthen our economic sanctions against Iran and any entities that choose to support the regime. I am pleased that Senator DURBIN has joined me in this effort, as well as Senators COLEMAN, LAUTENBERG, BROWNBACK, LIEBERMAN, KYL, BAYH, and THUNE.

This legislation urges the Administration to pursue measures in the international financial sector to restrict financing in Iran and encourages foreign state-owned entities to cease investment in Iran's energy sector. It prohibits all imports from and exports to Iran. It forbids any action that would extend preferential trade treatment to Iran or that would lead to Iranian accession to the WTO. And it freezes assets of senior Iranian officials and their families. By cutting off Iran's access to the hard currency it needs, we can increase the cost of their decision to pursue its nuclear program.

The legislation also singles out Russia—a country that has contributed significantly to the development of Iran's nuclear program and has significant financial ties with Tehran. Among other restrictions, the bill prevents the United States from moving forward with a multi-billion dollar nuclear cooperation agreement with Moscow until the President certifies that Russia has suspended its nuclear assistance and the transfers of any conventional weapons and missiles to Iran. The Russians may feel this is unfair, particularly in light of their recent announcement they would suspend the delivery of nuclear fuel to Iran's Bushehr reactor. I am pleased with this decision and hope that it is the beginning of a new view in Moscow of Iran's nuclear program. But we must remember that over the past decade, Russia

has periodically suspended its nuclear assistance to Iran only to resume this assistance at a later date.

The Iran Counter-Proliferation Act also seeks to bring to light the names of companies that continue to feel it is appropriate to do business with the mullahs in Tehran. It requires the Administration to submit an annual report to Congress listing any foreign investments in Iran's energy sector since January 1 of this year and a determination on whether such investment is sanctionable under the Iran Sanctions Act. And it requires a report listing companies with American operations, whether or not they are incorporated in the United States, which invest in Iran.

In a further effort to highlight the cost to Iran of ignoring the demands of the international community, this legislation will reduce our contributions to the World Bank by the percentage of total money the World Bank loans to entities in Iran. The United States does not support these loans, and I urge those countries contributing the most to the World Bank to oppose such loans in the future.

Finally, Mr. President, the Iran Counter-Proliferation Act calls on the Administration to designate the Iranian Revolutionary Guard as a Foreign Terrorist Organization and to add it to the Treasury's list of Specially Designated Global Terrorists. Funding is increased for the Office of Terrorism and Financial Intelligence to strengthen the Treasury's efforts to combat unlawful or terrorist financing.

It is critical for us to realize that our problems with Iran are not with the Iranian people, whose legitimate aspirations to live freely in a normal, prosperous country should be recognized. As such, this legislation designates \$10 million in funding to enhance our friendship with the people of Iran by identifying young Iranians to visit the United States under U.S. exchange programs.

The time for action is now. I hope my colleagues agree with me that we must use every available tool short of military force to compel the Iranian regime to abandon completely, verifiably, and irreversibly their pursuit of a nuclear weapons capability. I recognize that sanctions are not always popular, but we need to give them a chance to work. By doing nothing, we limit our future options in addressing this significant threat to the United States.

I ask unanimous consent that the full text of the legislation be printed in the RECORD.

I urge my colleagues to support the Iran Counter-Proliferation Act of 2007.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 970

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran Counter-Proliferation Act of 2007".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For more than 20 years, Iran has pursued a secret nuclear program that is intended to produce a nuclear weapons capability for Iran.

(2) The Government of Iran has consistently misled the United Nations, the International Atomic Energy Agency, and the United States as to the objectives and scope of its nuclear activities.

(3) Iran has refused to comply with United Nations Security Council Resolution 1737, adopted on December 23, 2006, which called for the suspension of all enrichment-related and reprocessing activities and is advancing work at its largest nuclear facility.

(4) The International Atomic Energy Agency is unable to verify the absence of undeclared nuclear material and activities in Iran and its Director-General has stated that Iran could be 6 months to a year away from acquiring the material necessary to make a nuclear weapon.

(5) An Iranian nuclear weapons capability poses a grave threat to the security of the United States and its allies around the world.

(6) It is in the national security interests of the United States to prevent Iran from acquiring a nuclear weapons capability.

(7) The United States should use all political, economic, and diplomatic tools at its disposal to prevent Iran from acquiring a nuclear weapons capability.

(8) Nothing in this Act should be construed as giving the President the authority to use military force against Iran.

#### SEC. 3. SENSE OF CONGRESS.

The following is the sense of Congress:

(1) The United States should pursue vigorously all measures in the international financial sector to restrict Iran's ability to conduct international financial transactions, including prohibiting banks in the United States from handling indirect transactions with Iran's state-owned banks and prohibiting financial institutions that operate in United States currency from engaging in dollar transactions with Iranian institutions.

(2) The United States Trade Representative or any other Federal official should not take any action that would extend preferential trade treatment to, or lead to the accession to the World Trade Organization of, any country that is determined by the Secretary of State to offer government-backed export credit guarantees to companies that invest in Iran or any country in which the government owns or partially owns an entity that invests in Iran.

(3) Iran should comply fully with its obligations under United Nations Security Council Resolution 1737, and any subsequent United Nations resolutions related to Iran's nuclear program, and in particular the requirement to suspend without delay all enrichment-related and reprocessing activities, including research and development, and all work on all heavy water-related nuclear activities, including research and development.

(4) The United Nations Security Council should take further measures beyond Resolution 1737 to tighten sanctions on Iran, including preventing new investment in Iran's energy sector, as long as Iran fails to comply with the international community's demand to halt its nuclear enrichment campaign.

(5) The United States should encourage foreign governments to direct state-owned entities to cease all investment in Iran's energy sector and all imports to and exports from Iran of refined petroleum products and to persuade, and, where possible, require private entities based in their territories to cease all investment in Iran's energy sector and all imports to and exports from Iran of refined petroleum products.

(6) Administrators of Federal and State pension plans should divest all assets or holdings from foreign companies and entities that have invested or invest in the future in Iran's energy sector.

(7) Iranian state-owned banks should not be permitted to use the banking system of the United States.

(8) The Secretary of State should designate the Iranian Revolutionary Guards as a Foreign Terrorist Organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and the Secretary of the Treasury should place the Iranian Revolutionary Guards on the list of Specially Designated Global Terrorists under Executive Order 13224 (66 Fed. Reg. 186; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

#### SEC. 4. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given that term in section 14(2) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(2) **INVESTMENT.**—The term “investment” has the meaning given that term in section 14(9) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(3) **IRANIAN DIPLOMATS AND REPRESENTATIVES OF OTHER GOVERNMENT AND MILITARY OR QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.**—The term “Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran” has the meaning given that term in section 14(11) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(4) **FAMILY MEMBER.**—The term “family member” means, with respect to an individual, the spouse, children, grandchildren, or parents of the individual.

#### SEC. 5. CLARIFICATION AND EXPANSION OF DEFINITIONS.

(a) **PERSON.**—Section 14(13)(B) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) is amended—

(1) by inserting “financial institution, insurer, underwriter, guarantor, and other business organization, including any foreign subsidiary, parent, or affiliate of the foregoing,” after “trust,”; and

(2) by inserting “, such as an export credit agency” before the semicolon.

(b) **PETROLEUM RESOURCES.**—Section 14(14) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) is amended by striking “petroleum and natural gas resources” and inserting “petroleum, petroleum by-products, liquefied natural gas, oil or liquefied natural gas, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or liquefied natural gas”.

#### SEC. 6. RUSSIA NUCLEAR COOPERATION.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, and in addition to any other sanction in effect, beginning on the date that is 15 days after the date of the enactment of this Act, the policies described in subsection (b) shall apply with respect to Russia, unless the President makes a certification to Congress described in subsection (c).

(b) **POLICIES.**—The policies described in this subsection are the following:

(1) **AGREEMENTS.**—The United States may not enter into an agreement for cooperation with Russia pursuant to section 123 of the Atomic Energy Act (42 U.S.C. 2153).

(2) **LICENSES TO EXPORT NUCLEAR MATERIAL, FACILITIES, OR COMPONENTS.**—The United States may not issue a license to export directly or indirectly to Russia any nuclear

material, facilities, components, or other goods, services, or technology that would be subject to an agreement under section 123 of the Atomic Energy Act (42 U.S.C. 2153).

(3) **TRANSFERS OF NUCLEAR MATERIAL, FACILITIES, OR COMPONENTS.**—The United States may not approve the transfer or retransfer directly or indirectly to Russia of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to an agreement under section 123 of the Atomic Energy Act (42 U.S.C. 2153).

(c) **CERTIFICATION.**—The certification described in this subsection means a certification made by the President to Congress on or after the date that is 15 days after the date of the enactment of this Act that the President has determined that—

(1) Russia has suspended all nuclear assistance to Iran and all transfers of advanced conventional weapons and missiles to Iran; or

(2) Iran has completely, verifiably, and irreversibly dismantled all nuclear enrichment-related and reprocessing-related programs.

(d) **TERMINATION OF POLICIES.**—The policies described in subsection (b) shall remain in effect until such time as the President makes the certification to Congress described in subsection (c).

#### SEC. 7. ECONOMIC SANCTIONS RELATING TO IRAN.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, and in addition to any other sanction in effect, beginning on the date that is 15 days after the date of the enactment of this Act, the economic sanctions described in subsection (b) shall apply with respect to Iran, unless the President makes a certification to Congress described in subsection (c).

(b) **SANCTIONS.**—The sanctions described in this subsection are the following:

(1) **PROHIBITION ON IMPORTS.**—No article that is grown, produced, or manufactured in Iran may be imported directly or indirectly into the United States.

(2) **PROHIBITION ON EXPORTS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), no article that is the growth, product, or manufacture of the United States may be exported directly or indirectly to Iran.

(B) **EXCEPTION FOR FOOD AND MEDICINE.**—The prohibition in subparagraph (A) does not apply to exports to Iran of food and medicine grown, produced, or manufactured in the United States.

(3) **ACCESSION TO WTO.**—The United States Trade Representative or any other Federal official may not take any action that would extend preferential trade treatment to, or lead to the accession to the World Trade Organization of—

(A) Iran; or

(B) any other country that is determined by the Secretary of State to be—

(i) engaged in nuclear cooperation with Iran, including the transfer or sale of any item, material, goods, or technology that can contribute to uranium enrichment or nuclear reprocessing activities of Iran; or

(ii) contributing to the ballistic missile programs of Iran.

(4) **FREEZING ASSETS.**—

(A) **IN GENERAL.**—At such time as the United States has access to the names of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran, the President shall take such action as may be necessary to freeze immediately the funds and other assets belonging to anyone so named, the family members of those so named, and any associates of those so named to whom assets or property of those so named were trans-

ferred on or after January 1, 2007. The action described in the preceding sentence includes requiring any United States financial institution that holds funds and assets of a person so named to report promptly to the Office of Foreign Assets Control information regarding such funds and assets.

(B) **ASSET REPORTING REQUIREMENT.**—Not later than 14 days after a decision is made to freeze the property or assets of any person under this paragraph, the President shall report the name of such person to the appropriate congressional committees.

(5) **UNITED STATES GOVERNMENT CONTRACTS.**—The United States Government may not procure, or enter into a contract for the procurement of, any goods or services from a person that meets the criteria for the imposition of sanctions under section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(c) **CERTIFICATION DESCRIBED.**—The certification described in this subsection means a certification made by the President to Congress beginning on the date that is 15 days after the date of the enactment of this Act that the President has determined that Iran has completely, verifiably, and irreversibly dismantled all nuclear enrichment-related and reprocessing-related programs.

(d) **TERMINATION OF SANCTIONS.**—The sanctions described in subsection (b) shall remain in effect until such time as the President makes the certification to Congress described in subsection (c).

#### SEC. 8. LIABILITY OF PARENT COMPANIES FOR VIOLATIONS OF SANCTIONS BY FOREIGN ENTITIES.

(a) **IN GENERAL.**—In any case in which an entity engages in an act outside the United States that, if committed in the United States or by a United States person, would violate the provisions of Executive Order 12959 (60 Fed. Reg. 89) or Executive Order 13059 (62 Fed. Reg. 162), or any other prohibition on transactions with respect to Iran imposed under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the parent company of the entity shall be subject to the penalties for the act to the same extent as if the parent company had engaged in the act.

(b) **APPLICABILITY.**—Subsection (a) shall not apply to a parent company of an entity on which the President imposed a penalty for a violation described in subsection (a) that was in effect on the date of the enactment of this Act if the parent company divests or terminates its business with such entity not later than 90 days after such date of enactment.

(c) **DEFINITIONS.**—In this section:

(1) **ENTITY.**—The term “entity” means a partnership, association, trust, joint venture, corporation, or other organization.

(2) **PARENT COMPANY.**—The term “parent company” means an entity that is a United States person and—

(A) the entity owns, directly or indirectly, more than 50 percent of the equity interest by vote or value in another entity;

(B) board members or employees of the entity hold a majority of board seats of another entity; or

(C) the entity otherwise controls or is able to control the actions, policies, or personnel decisions of another entity.

(3) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States; and

(B) an entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such entity.

# SEC. 9. ELIMINATION OF CERTAIN TAX INCENTIVES FOR OIL COMPANIES INVESTING IN IRAN.

(a) IN GENERAL.—Subsection (h) of section 167 of the Internal Revenue Code of 1986 (relating to amortization of geological and geophysical expenditures) is amended by adding at the end the following new paragraph:

“(6) DENIAL WHEN IRAN SANCTIONS IN EFFECT.—

“(A) IN GENERAL.—If sanctions are imposed under section 5(a) of the Iran Sanctions Act of 1996 or section 7 of the Iran Counter-Proliferation Act of 2007 (relating to sanctions with respect to the development of petroleum resources of Iran) on any member of an expanded affiliated group the common parent of which is a foreign corporation, paragraph (1) shall not apply to any expense paid or incurred by any such member in any period during which the sanctions are in effect.

“(B) EXPANDED AFFILIATED GROUP.—For purposes of subparagraph (A), the term ‘expanded affiliated group’ means an affiliated group as defined in section 1504(a), determined—

“(i) by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears, and

“(ii) without regard to paragraphs (2), (3), and (4) of section 1504(b).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to expenses paid or incurred on or after January 1, 2007.

# SEC. 10. WORLD BANK LOANS TO IRAN.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(1) the number of loans provided by the World Bank to Iran;

(2) the dollar amount of such loans; and

(3) the voting record of each member of the World Bank on such loans.

(b) REDUCTION OF CONTRIBUTION OF THE UNITED STATES.—The President shall reduce the total amount otherwise payable on behalf of the United States to the World Bank for fiscal year 2008 and each fiscal year thereafter by an amount that bears the same ratio to the total amount otherwise payable as—

(1) the total of the amounts provided by the Bank to entities in Iran, and for projects and activities in Iran, in the preceding fiscal year, bears to

(2) the total of the amounts provided by the Bank to all entities, and for all projects and activities, in the preceding fiscal year.

(c) ALLOCATION OF AMOUNTS NOT CONTRIBUTED TO THE WORLD BANK.—There is authorized to be appropriated to the United States Agency for International Development for fiscal year 2008 and each fiscal year thereafter an amount equal to the revenues made available as a result of the application of subsection (b). Funds appropriated pursuant to this subsection shall be made available for the Child Survival and Health Programs Fund to carry out programs relating to maternal and child health, vulnerable children, and infectious diseases other than HIV/AIDS.

# SEC. 11. INCREASED CAPACITY FOR EFFORTS TO COMBAT UNLAWFUL OR TERRORIST FINANCING.

(a) FINDINGS.—The work of the Office of Terrorism and Financial Intelligence of the Department of Treasury, which includes the Office of Foreign Assets Control and the Financial Crimes Enforcement Center, is critical to ensuring that the international financial system is not used for purposes of supporting terrorism and developing weapons of mass destruction.

(b) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of the

Treasury for the Office of Terrorism and Financial Intelligence—

(1) \$59,466,000 for fiscal year 2008; and

(2) such sums as may be necessary for each of the fiscal years 2009 and 2010.

(c) AUTHORIZATION AMENDMENT.—Section 310(d)(1) of title 31, United States Code, is amended by striking “such sums as may be necessary for fiscal years 2002, 2003, 2004, and 2005” and inserting “\$85,844,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 and 2010”.

# SEC. 12. NATIONAL INTELLIGENCE ESTIMATE ON IRAN.

As required under section 1213 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2422), the Director of National Intelligence shall submit to Congress an updated, comprehensive National Intelligence Estimate on Iran.

# SEC. 13. EXCHANGE PROGRAMS WITH THE PEOPLE OF IRAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should seek to enhance its friendship with the people of Iran, particularly by identifying young people of Iran to come to the United States under United States exchange programs.

(b) EXCHANGE PROGRAMS AUTHORIZED.—The President is authorized to carry out exchange programs with the people of Iran, particularly the young people of Iran. Such programs shall be carried out to the extent practicable in a manner consistent with the eligibility for assistance requirements specified in section 302(b) of the Iran Freedom Support Act (Public Law 109-293; 120 Stat. 1348).

(c) AUTHORIZATION.—Of the amounts available under the heading “Educational and Cultural Exchange Programs”, under the heading “Administration of Foreign Affairs”, under title IV of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109-108; 119 Stat. 2321), there is authorized to be appropriated to the President to carry out this section \$10,000,000 for fiscal year 2008.

# SEC. 14. RADIO BROADCASTING TO IRAN.

The Broadcasting Board of Governors shall devote a greater proportion of the programming of the Radio Farda service to programs offering news and analysis to further the open communication of information and ideas to Iran.

# SEC. 15. INTERNATIONAL REGIME FOR THE ASSURED SUPPLY OF NUCLEAR FUEL FOR PEACEFUL MEANS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Concept for a Multilateral Mechanism for Reliable Access to Nuclear Fuel, proposed by the United States, France, the Russian Federation, the Federal Republic of Germany, the United Kingdom, and the Netherlands on May 31, 2006, is welcome and should be expanded upon at the earliest possible opportunity;

(2) the proposal by the Government of the Russian Federation to bring one of its uranium enrichment facilities under international management and oversight is also a welcome development and should be encouraged by the United States;

(3) the offer by the Nuclear Threat Initiative (NTI) of \$50,000,000 in funds to support the creation of an international nuclear fuel bank by the International Atomic Energy Agency (IAEA) is also welcome, and the United States and other member states of the IAEA should pledge collectively at least an additional \$100,000,000 in matching funds to fulfill the NTI proposal; and

(4) the Global Nuclear Energy Partnership, initiated by President Bush in January 2006, is intended to provide a reliable fuel supply

throughout the fuel cycle and promote the nonproliferation goals of the United States.

(b) POLICY.—It is the policy of the United States to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means under a multilateral authority, such as the International Atomic Energy Agency.

(c) CONTRIBUTIONS TO IAEA.—

(1) IN GENERAL.—Subject to the requirements of paragraph (2), the President is authorized to make voluntary contributions on a grant basis to the International Atomic Energy Agency (referred to in this subsection as the “IAEA”) for the purpose of supporting the establishment of an international nuclear fuel bank to maintain a reserve of low-enriched uranium for the production of reactor fuel to provide to eligible countries in the case of a disruption in the supply of reactor fuel by normal market mechanisms.

(2) REQUIREMENTS FOR CONTRIBUTIONS.—Before making a contribution under paragraph (1), the President shall certify to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that—

(A) the IAEA has received pledges in a total amount of not less than \$100,000,000 from other governments or entities for the purpose of supporting the establishment of the international nuclear fuel bank referred to in paragraph (1);

(B) the international nuclear fuel bank referred to in paragraph (1) will be under the oversight of the IAEA or another multilateral authority; and

(C) the international nuclear fuel bank will provide nuclear reactor fuel to a country only if—

(i) at the time of the request for nuclear reactor fuel, the country is in full compliance with its IAEA safeguards agreement and has an additional protocol for safeguards in force;

(ii) in the case of a country that at any time prior to the request for nuclear reactor fuel has been determined to be in noncompliance with its IAEA safeguards agreement, the IAEA Board of Governors determines that the country has taken all necessary actions to satisfy any concerns of the IAEA Director General regarding the activities that led to the prior determination of noncompliance;

(iii) the country agrees to use the nuclear reactor fuel in accordance with its IAEA safeguards agreement; and

(iv) the country does not operate uranium enrichment or spent-fuel reprocessing facilities of any scale.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$50,000,000 to carry out this section for fiscal year 2008. Amounts appropriated for this section are authorized to remain available until September 30, 2010.

# SEC. 16. REPORTING REQUIREMENTS.

(a) FOREIGN INVESTMENT IN IRAN.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(1) any foreign investments made in Iran's energy sector since January 1, 2007; and

(2) the determination of the President on whether each such investment qualifies as a sanctionable offense under section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(b) INVESTMENT BY UNITED STATES COMPANIES IN IRAN.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall report to the appropriate congressional committees the names of persons

that have operations or conduct business in the United States that have invested in Iran and the dollar amount of each such investment.

(c) **INVESTMENT BY FEDERAL THRIFT SAVINGS PLAN IN IRAN.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Executive Director of the Federal Retirement Thrift Investment Board shall report to the appropriate congressional committees on any investment in entities that invest in Iran from the Thrift Savings Fund established under section 8437 of title 5, United States Code.

(d) **LIST OF DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of the Treasury shall report to the appropriate congressional committees on the efforts of the Secretary of State and the Secretary of the Treasury to place the Iranian Revolutionary Guards on the list of designated Foreign Terrorist Organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and the list of Specially Designated Global Terrorists under Executive Order 13224 (66 Fed. Reg. 186; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(e) **ESTABLISHMENT OF INTERNATIONAL REGIME.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the activities of the United States to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means under a multilateral authority, such as the International Atomic Energy Agency.

(f) **EXPORT CREDITS.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Treasury shall report to the appropriate congressional committees on the export credits issued by foreign banks to persons investing in the energy sector of Iran, and any fines, restrictions, or other actions taken by the President to discourage or prevent the issuance of such export credits.

Mr. DURBIN. Mr. President, today, my colleagues, Senator GORDON SMITH, Senator FRANK LAUTENBERG, and I join together to introduce bipartisan legislation to use economic and diplomatic measures to help convince the Iranian Government to turn away from its path toward the development of nuclear weapons.

The Iran Counter-Proliferation Act of 2007 would strengthen our economic sanctions regime against Iran until Iran completely, verifiably, and irreversibly dismantles all nuclear enrichment and reprocessing programs.

The bill, for example, would penalize foreign oil companies with U.S. subsidiaries doing business in Iran and would forbid the awarding of U.S. Government contracts to those who have violated our existing sanctions against Iran.

The bill reiterates the requirement to produce a National Intelligence Estimate on Iran mandated in last year's Defense Authorization bill.

In addition to these measures, the bill addresses Russia's role in exporting nuclear and military technology to Iran.

Nuclear cooperation agreements with Russia would be prohibited if that

country continues to assist Iran in developing nuclear weapons. The United States could not enter into such an agreement with Moscow, absent a Presidential certification that Russia's assistance to Iran has ceased.

This week has brought some promising news. Undersecretary of State for Political Affairs Nicholas Burns testified before the Senate Banking Committee that Russia has begun applying pressure on Iran to abandon its nuclear ambitions. That is most welcome, and if the President provides the verification that Russia's nuclear assistance to Iran has ceased—and that this is a sea change and not merely a contract dispute—then our other negotiations with Russia can proceed unimpeded.

I firmly believe that we should offer positive incentives if Iran does change course and abandon its programs to develop nuclear weapons. Iran has energy needs, and we hope that they will join us and the community of nations in the peaceful acquisition of those resources.

This legislation authorizes \$50 million to the International Atomic Energy Agency to support the establishment of an international nuclear fuel bank, a concept originally proposed by Congressman TOM LANTOS. This bank would maintain a reserve of low-enriched uranium for reactor fuel and make it available to countries in full compliance with IAEA safeguards which do not operate uranium enrichment or spent-fuel reprocessing facilities. It is our hope that Iran will become one of these nations.

Because members of the American public are our best ambassadors and America itself is the strongest evidence of the benefits of freedom and prosperity, this bill increases the authorization for funding for young Iranians to come to the United States as part of exchange programs.

I support efforts to engage with Tehran's leaders regarding Iraq. They should recognize that they, too, have a vested interest in regional peace and security. This bill is aimed at an issue which we cannot compromise: the Iranian acquisition of nuclear weapons.

Iran's leaders face a choice of whether to pursue a legitimate goal of peaceful nuclear power for their citizens or a dangerous strategy to develop nuclear weapons. We must provide the economic and political pressure as well as incentives to help Iran choose the path to legitimacy and nuclear nonproliferation. This legislation will help achieve that goal.

By Mr. BOND (for himself and Mr. HARKIN):

S. 971. A bill to establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. BOND. Mr. President, I rise today to introduce legislation with

Sen. HARKIN to establish the National Institute of Food and Agriculture to support fundamental agricultural research of the highest quality. I present this to begin a critical discussion about how we are going to ensure the United States capitalizes on new technology to maximize the benefits and minimize the costs of our agricultural production.

We remain the world leader in food and fiber production. We do it safely and through technology and the hard work of the American farmer. In the past half century, the number of people fed by a single U.S. farm has grown from 19 to 129. Our farmers and farm leaders are on the cutting edge of developing new technology. And we have seen the innovations continue to come down the pike. This has made it possible for one farmer to feed 129 people.

In addition, we export \$60 billion worth of agricultural products, and we do so at less cost and at less harm to the environment than any of our competitors around the world, again, because of new practices, diligence on the part of farmers, and new technology.

In a world that has a decreasing amount of soil available for cultivation, we have a growing population and we still have 800 million children who are hungry or malnourished throughout the world. Unless we maximize technology and new practices, production will continue to overtax the world's natural resources.

Many people legitimately have raised concerns regarding new diseases and pests and related food safety issues. And they are growing. The ability of U.S. agriculture producers to maintain our world leadership in this environment is only as solid as our willingness to commit to forward-looking investments.

Now, we also know from past experience that with new technology the doors are being opened to novel new uses of renewable agricultural products in the fields of energy, medicine, and industrial products. In the future, we can make our farm fields and farm animals factories for everyday products, fuels, and medicines in a way that is efficient and better preserves our natural resources. Advances in the life sciences have come about, such as genetics, proteomics, and cell and molecular biology. They are providing the base for new and continuing agricultural innovations.

It was only about a dozen years ago that farmers in Missouri came to me to tell me about the potential that genetic engineering and plant biotechnology had for improving the production of food, and doing so with less impact on the environment, providing more nutritious food. Since that time, I have had a wonderful, continuing education, not in how it works but what it can do.

We know now, for example, that in hungry areas of the world as many as half a million children go blind from Vitamin A deficiency, and maybe a

million die from this deficiency. Through plant biotechnology, the International Rice Research Institute in the Philippines and others have developed Golden Rice, taking a gene from the sunflower, a beta-carotene gene, and they enrich the rice. The Golden Rice now has that Vitamin A, and that is going to make a significant difference in dealing with malnutrition.

We also know that in many areas of the world, where agricultural production has overtaxed the land, where drought has cut the production, where virus has plagued production, the way we can make farmers self-sufficient and restore the farm economy in many of these countries, is through plant biotechnology. But this is just the beginning. This legislation I am introducing today seeks to lay the foundation for tremendous advances in the future.

This legislation stems from findings and recommendations produced by a distinguished group of scientists working on the Agricultural Research, Economics and Education Task Force, which I was honored to be able to include in the 2002 farm bill. The distinguished task force was led by Dr. William H. Danforth, of St. Louis, the brother of our former distinguished colleague, Senator Jack Danforth. Dr. Bill Danforth has a tremendous reputation in science and in education, with a commitment to human welfare and is known worldwide. He was joined by Dr. Nancy Betts, the University of Nebraska; Mr. Michael Bryan, president of BBI International; Dr. Richard Coombe, the Watershed Agricultural Council; Dr. Victor Lechtenbert, Purdue University; Dr. Luis Sequeira, the University of Wisconsin; Dr. Robert Wideman, the University of Arkansas; and Dr. H. Alan Wood, Mississippi State University.

I extend my congratulations and my sincere gratitude to Dr. Danforth and his team for providing the basis and the roadmap to ensure we have the mechanisms in place to solve the problems and capitalize on the opportunities in agricultural research. The full report of the task force can be found at [www.ars.usda.gov/research.htm](http://www.ars.usda.gov/research.htm).

In summary, that study concludes that it is absolutely necessary we reinvigorate and forward focus our technology to meet the responsibilities of our time. New investment is critical for the world's consumers, the protection of our natural resources, the standard of living for Americans who labor in rural America, and for the well-being of the hungry people and the needy people throughout the world.

This legislation is supported by the some 22 Member and Associate Member Societies of the Federation of American Societies for Experimental Biology, as well as the Institute of Food Technologists, American Society of Agronomy, Crop Science Society of America, Soil Science Society of America, the Council for Agricultural Re-

search, the National Coalition for Food and Agricultural Research, the American Soybean Association, National Cattlemen's Beef Association, National Chicken Council, National Corn Growers Association, National Farmers Union, National Milk Producers Federation, National Pork Producers Council, National Turkey Federation, Association of American Veterinary Medical Colleges and the United Fresh Fruit and Vegetable Association.

I look forward to pursuing this vision in the 110th Congress. I invite my colleagues who are interested in science and research to review this report, to look at this measure, to join with me and Senator HARKIN to talk about moving forward on what I think will be a tremendous opportunity to improve agriculture and its benefits to all our populations.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 971

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Institute of Food and Agriculture Act of 2007".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the task force established under section 7404 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3101 note; 116 Stat. 457)—

(A) conducted an exhaustive review of agricultural research in the United States; and

(B) evaluated the merits of establishing 1 or more national institutes focused on disciplines important to the progress of food and agricultural science;

(2) according to findings and recommendations provided to Congress by the task force—

(A) agriculture in the United States faces critical challenges, including impending crises in the food, agricultural, and natural resource systems of the United States;

(B) exotic diseases and pests threaten crops and livestock;

(C) the United States faces a public health epidemic due to the increasing number of overweight and obese Americans;

(D) agriculturally-related environmental degradation is a serious problem for the United States and other parts of the world;

(E) certain animal diseases threaten human health; and

(F) agricultural producers in the United States of several primary crops are no longer the world's lowest-cost producers;

(3) to meet those critical challenges, it is essential that the United States ensure that the agricultural innovation that has been so successful in the past continues in the future;

(4) agricultural innovation has resulted in hybrid and higher-yielding varieties of basic crops and enhanced the global food supply by increasing yields on existing acres;

(5) since 1960, the global population has tripled, but there has been no net increase in the quantity of land in the United States under cultivation;

(6) as of the date of enactment of this Act, only 1.5 percent of the population of the United States provides food and fiber to partially supply the needs of the United States;

(7)(A) agriculture, fundamental agricultural research, and fundamental sciences play a major role in maintaining the health and welfare of all people of the United States and maintaining the land and water of the United States; and

(B) that role must be expanded;

(8) research that leads to understandings of the ways in which cells and organisms function is critical to continued innovation in agriculture in the United States;

(9) future innovations developed as a result of those understandings are dependent on fundamental scientific research and would be enhanced by ideas and technologies from other fields of science and research;

(10) opportunities to advance fundamental knowledge of benefit to agriculture in the United States have never been greater;

(11) many of those new opportunities are the result of amazing progress in the life sciences during recent decades, attributable in large part to the provision made by the Federal Government through the National Institutes of Health and the National Science Foundation;

(12) new technologies and new concepts have expedited advances in the fields of genetics, cell and molecular biology, and proteomics;

(13) much of that scientific knowledge is ready to be used in agriculture and food sciences through a sustained, disciplined research effort at an institute dedicated to conducting that research;

(14) publicly-sponsored research is essential to continued agricultural innovation—

(A) to mitigate or harmonize the long-term effects of agriculture on the environment;

(B) to enhance the long-term sustainability of agriculture; and

(C) to improve the public health and welfare;

(15) competitive, peer-reviewed fundamental agricultural research is best suited to promoting the research from which breakthrough innovations that agriculture and society require will come;

(16) it is in the national interest to dedicate additional funds on a long-term, ongoing basis to an institute dedicated to funding competitive, peer-reviewed grant programs that support and promote the highest caliber of fundamental agricultural research;

(17) the capability of the United States to be internationally competitive in agriculture is threatened by inadequate investment in research;

(18) to be successful over the long term, grant-receiving institutions must be adequately reimbursed for costs of conducting agricultural research if the institutions are to pursue that kind of research; and

(19) to meet those challenges, address those needs, and to provide for vitally needed agricultural innovation, it is in the national interest to provide sufficient Federal funds over the long term to fund a significant program of fundamental agricultural research through an independent national institute.

(b) PURPOSE.—The purpose of this Act is to establish a national institute—

(1) to ensure that the technological superiority of agriculture in the United States effectively serves the people of the United States in the coming decades; and

(2) to support and promote fundamental agricultural research of the highest caliber to achieve the goals of—

(A) increasing the international competitiveness of agriculture in the United States;

(B) developing foods and expanding knowledge to improve diet, nutrition, and health, and to combat obesity;

(C) decreasing the dependence of the United States on foreign sources of petroleum by—

(i) developing biobased fuels and products;



(ii) enhancing methods of production at biobased fuels refineries;  
 (iii) reducing energy consumption at biobased fuel refineries; and  
 (iv) increasing the use of coproducts of biobased fuels production;  
 (D) creating new and more useful products from plants and animals;  
 (E) improving food safety to reduce the incidence of foodborne illness in the United States;

(F) improving food security by protecting plants and animals in the United States from insects, diseases, and the threat of bioterrorism;

(G) enhancing agricultural sustainability;  
 (H) improving the environment;

(I) strengthening the economies of rural communities in the United States;

(J) improving farm profitability and the viability and competitiveness of small and moderate-sized farms;

(K) strengthening national security by improving the agricultural productivity of subsistence farmers in developing countries to combat hunger and the political instability that hunger produces;

(L) assisting in modernizing and revitalizing the agricultural research facilities of the United States at institutions of higher education, independent, nonprofit research institutions, and consortia of those institutions, through capital investment; and

(M) achieving such other goals, and meeting such other needs, as the Secretary or the Institute determines to be appropriate.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term “Council” means the Standing Council of Advisors established by section 4(d)(1).

(2) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(3) DIRECTOR.—The term “Director” means the Director of the Institute.

(4) FUNDAMENTAL AGRICULTURAL RESEARCH; FUNDAMENTAL SCIENCE.—The terms “fundamental agricultural research” and “fundamental science” mean research or science that, as determined by the Secretary—

(A) advances the frontiers of knowledge so as to lead to practical results or to further scientific discovery; and

(B) has an effect on agriculture, food, human health, or another purpose of this Act as described in section 2(b).

(5) INSTITUTE.—The term “Institute” means the National Institute of Food and Agriculture established by section 4(a).

(6) MULTIDISCIPLINARY GRANT.—The term “multidisciplinary grant” means a grant provided to 2 or more collaborating investigators to carry out coordinated, multidisciplinary research programs involving multiple disciplines that has been approved by the Institute.

(7) PROJECT GRANT.—The term “project grant” means a grant provided to 1 or more principal investigators to conduct research that has been approved by the Institute.

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(9) STATE.—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(10) UNITED STATES.—The term “United States”, when used in a geographical sense, means all of the States.

#### SEC. 4. ESTABLISHMENT; COMPOSITION.

(a) ESTABLISHMENT.—There is established within the Department an agency to be known as the “National Institute of Food and Agriculture”.

(b) LOCATION.—The location of the Institute shall be determined by the Secretary.

(c) COMPOSITION.—The Institute shall be composed of the Council (including committees and offices established under section 5) and the Director.

(d) STANDING COUNCIL OF ADVISORS.—

(1) ESTABLISHMENT.—There is established a Standing Council of Advisors.

(2) COMPOSITION.—The Council shall be composed of 25 members, including—

(A) the Director; and

(B) 24 members appointed by the Secretary, with the concurrence of the Director, of whom—

(i) 12 members shall be highly-qualified scientists who, as determined by the Secretary—

(I) are not employees of the Federal Government;

(II)(aa) have expertise in the fields of agricultural research, science, food and nutrition, or related appropriate fields; and

(bb) represent a diversity of those fields;

(III) are appropriate for membership on the Council solely on the basis of established records of distinguished service; and

(IV) collectively represent the views of agricultural research and scientific leaders in all regions of the United States; and

(ii) 12 stakeholders shall be distinguished members of the public, as determined by the Secretary, including—

(I) representatives of agricultural organizations and industry; and

(II) individuals with expertise in the environment, subsistence agriculture, energy, food and nutrition, and human health and disease.

(3) TERM.—The members of the Council shall serve staggered, 4-year terms, as determined by the Secretary.

(4) MEETINGS.—The Council shall meet at the call of the Director and the Secretary, but not less often than annually.

(5) CHAIRPERSON AND VICE CHAIRPERSON.—The Council shall elect a Chairperson and Vice Chairperson from among the members of the Council.

(6) DUTIES.—The Council shall—

(A) assist the Director in—

(i) establishing research priorities of the Institute; and

(ii) reviewing, judging, and maintaining the relevance of the programs of the Institute;

(B) review all proposals approved by the scientific committees established under section 5(a)(1) to ensure, to the maximum extent practicable, that the purposes of this Act are being met; and

(C) through the meetings described in paragraph (4), provide an interface between scientists and stakeholders to ensure, to the maximum extent practicable, that the Institute is coordinating national goals with realistic scientific opportunities.

(e) DIRECTOR.—

(1) IN GENERAL.—The Institute shall be headed by a Director, who shall be an individual who is—

(A) a distinguished scientist; and

(B) appointed by the President (after taking into consideration recommendations provided by the Council), by and with the advice and consent of the Senate.

(2) TERM.—The Director shall serve for a single, 6-year term.

(3) COMPENSATION.—The Director shall receive basic pay at the rate provided for level II of the Executive Schedule under section 5513 of title 5, United States Code.

(4) SUPERVISION.—The Director shall report directly to the Secretary.

(5) AUTHORITY AND RESPONSIBILITIES OF DIRECTOR.—

(A) IN GENERAL.—Except as otherwise specifically provided in this Act, the Director shall—

(i) exercise all of the authority provided to the Institute by this Act (including any powers and functions delegated to the Director by the Council);

(ii) in consultation with the Council, formulate programs in accordance with policies adopted by the Institute;

(iii) establish committees and offices within the Institute in accordance with section 5;

(iv) establish procedures for the peer review of research funded by the Institute;

(v) establish procedures for the provision and administration of grants by the Institute in accordance with this Act;

(vi) assess the personnel needs of agricultural research in the areas supported by the Institute, and, if determined to be appropriate by the Director or the Secretary, for other areas of food and agricultural research; and

(vii) cooperate with the Council to plan programs that will help meet agricultural personnel needs in the future, including portable fellowship and training programs in fundamental agricultural research and fundamental science.

(B) FINALITY OF ACTIONS.—An action taken by the Director in accordance with this Act (or in accordance with the terms of a delegation of authority from the Council) shall be final and binding upon the Institute.

(C) DELEGATION AND REDELEGATION OF FUNCTIONS.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Director may, from time to time and as the Director considers to be appropriate, authorize the performance by any other officer, agency, or employee of the Institute of any of the functions of the Director under this Act, including functions delegated to the Director by the Council.

(ii) POLICYMAKING FUNCTIONS.—The Director may not redelegate policymaking functions delegated to the Director by the Council.

(iii) CONTRACTS, GRANTS, AND OTHER ARRANGEMENTS.—The Director may enter into contracts and other arrangements, and provide grants, in accordance with this Act—

(I) only with the prior approval of the Council or under authority delegated by the Council; and

(II) subject to such conditions as the Council may specify.

(iv) REPORTING.—The Director shall promptly report each contract or other arrangement entered into, each grant awarded, and each other action of the Director taken, under clause (iii) to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives.

(6) STATUS ON COUNCIL.—

(A) IN GENERAL.—The Director shall be an ex officio member of the Council.

(B) COMPENSATION AND TENURE.—Except with respect to compensation and tenure, the service of the Director on the Council shall be coordinated with the service of other members of the Council.

(C) VOTING; ELECTION.—The Director shall be—

(i) a voting member of the Council; and

(ii) eligible for election by the Council as Chairperson or Vice Chairperson of the Council.

(7) STAFF.—

(A) IN GENERAL.—Subject to this paragraph, the Director shall recruit and hire such senior staff and other personnel as are

necessary to assist the Director in carrying out this Act.

(B) SENIOR STAFF.—Each individual hired as senior staff of the Director shall—

(i) be a highly accomplished scientist, as determined by the Director;

(ii) be recruited from the active scientific community; and

(iii) be appointed and serve on the basis of 4-year, rotating appointments.

(C) TEMPORARY STAFF.—Staff hired by the Director under this paragraph may include scientists and other technical and professional personnel hired for limited terms, or on temporary bases, including individuals on leave of absence from academic, industrial, or research institutions to work for the Institute.

(D) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), subject to such policies as the Council shall periodically prescribe, the Director may fix the compensation of staff hired under this paragraph without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for an individual hired under this paragraph shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(8) REPORTING AND CONSULTATION.—The Director shall—

(A) periodically report to the Secretary with respect to activities carried out by the Institute; and

(B) consult regularly with the Secretary to ensure, to the maximum extent practicable, that—

(i) research of the Institute is relevant to agriculture in the United States and otherwise serves the national interest; and

(ii) the research of the Institute supplements and enhances, and does not replace, research conducted or funded by—

(I) other agencies of the Department;

(II) the National Science Foundation; or

(III) the National Institutes of Health.

## SEC. 5. COMMITTEES AND OFFICES OF INSTITUTE.

(a) STANDING SCIENTIFIC COMMITTEES.—

(1) IN GENERAL.—The Director may establish such number of standing scientific committees within the Institute as the Director determines to be appropriate.

(2) COMPOSITION.—A standing scientific committee established under paragraph (1) shall consist of such members of the Council appointed under section 4(d)(2)(B)(i) as the Director may select.

(3) TERM.—Members of a standing scientific committee established under paragraph (1) shall serve for staggered, 4-year terms, as determined by the Director.

(4) REVIEW OF PROPOSALS.—

(A) IN GENERAL.—A standing scientific committee shall apply rigorous merit review to research proposals received by the Institute to ensure, to the maximum extent practicable, that research funded by the Institute is scientifically of high quality.

(B) DETERMINATION OF SCIENTIFIC MERIT.—A research proposal received by the Institute and reviewed by a standing scientific committee under subparagraph (A) shall be—

(i) assigned a score based on the scientific merit of the proposal, as determined by the standing scientific committee; and

(ii) if approved by the standing scientific committee, forwarded, along with the score, to the Council for final review.

(C) DECLINATION OF PROPOSALS.—If the Council determines that a research proposal forwarded under this paragraph does not meet standards of scientific review established by a standing scientific committee or

any similar standard established by the Director, the Council shall decline to recommend the research proposal for funding by the Institute.

(5) AD HOC REVIEW MEMBERS.—The Director may supplement a standing scientific committee under this subsection with 1 or more ad hoc reviewers in a case in which a research proposal received by the Institute requires specialized knowledge not represented on that or any other standing scientific committee.

(b) OFFICES.—

(1) OFFICE OF ADVANCED SCIENCE AND APPLICATION.—

(A) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Advanced Science and Application (referred to in this paragraph as the “Office”).

(B) DUTIES.—The Office shall—

(i) closely monitor national needs and advances in research with the goal of identifying pressing problems for which solutions are realistically achievable through research;

(ii) coordinate creative talent from diverse disciplines to bridge potential gaps between fundamental agricultural research and high-priority, practical needs; and

(iii) recommend to the Director ways in which existing fundamental agricultural research may be applied to the most urgent problems addressed by the Institute.

(C) STAFF.—

(i) IN GENERAL.—The Office shall employ a small, focused staff of rotating experts in science and agriculture.

(ii) TALENT POOL; TERM.—Primary staff of the Office—

(I) shall be appointed from the ranks of active scientists; and

(II) shall serve terms of not to exceed 3 years.

(D) INTENSIVE STUDY GROUPS.—The Office shall—

(i) focus primarily on the most urgent problems addressed by the Institute; and

(ii) assemble such intensive study groups as are necessary to address those problems.

(E) REPORTS.—The Office shall submit to the Director and the Council periodic reports that—

(i) describe the activities being carried out by the Office; and

(ii) recommended new research priorities for the Office, as appropriate.

(2) OFFICE OF SCIENTIFIC ASSESSMENT AND LIAISON.—

(A) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Scientific Assessment and Liaison (referred to in this paragraph as the “Office”).

(B) DUTIES.—The Office shall—

(i) monitor the effectiveness of the scientific expenditures by the Institute;

(ii) oversee the coordination of research efforts of the Institute with those of other programs;

(iii) assess the effectiveness of programs of the Institute by evaluating—

(I) the quality of the science funded by the Institute, using such tools as are readily available; and

(II) the contributions of the Institute to the national research effort, including ways in which the Institute collaborates and cooperates with the Department and with other Federal agencies; and

(iv) encourage cooperative approaches among various research agencies within the Federal Government.

(3) OFFICE OF SCIENTIFIC PERSONNEL.—

(A) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Scientific Personnel (referred to in this paragraph as the “Office”).

(B) DUTIES.—The Office shall—

(i) cooperate with scientific and agricultural experts to assess—

(I) the number of scientists in agriculture and related fields in the United States; and

(II) how many additional scientists in agriculture and related fields are needed to meet the purposes of this Act; and

(ii) generate and maintain data that may assist the Director and the Council in planning appropriate Institute fellowship and training programs.

(4) ADDITIONAL OFFICES.—The Director may establish such additional offices within the Institute as the Director or the Council determines to be necessary to carry out the duties of the Institute under this Act.

## SEC. 6. DUTIES.

(a) IN GENERAL.—The Institute shall provide competitive, peer-reviewed grants in accordance with section 8(b) to support and promote the highest quality of fundamental agricultural research, including grants to fund research proposals submitted by—

(1) individual scientists;

(2) research centers composed of a single institution or multiple institutions; and

(3) other individuals and entities from the private and public sectors, including researchers of the Department and other Federal agencies.

(b) REPORT TO CONGRESS.—Not later than December 31, 2008, and biennially thereafter, the Institute shall submit to the Secretary, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Agriculture of the House of Representatives a comprehensive report that describes the research funded and other activities carried out by the Institute during the period covered by the report.

## SEC. 7. POWERS.

(a) IN GENERAL.—The Institute shall have such authority as is necessary to carry out this Act, including the authority—

(1) to promulgate such regulations as the Institute considers to be necessary for governance of operations, organization, and personnel;

(2) to make such expenditures as are necessary to carry out this Act;

(3) to enter into contracts or other arrangements, or modifications of contracts or other arrangements—

(A) to provide for the conduct, by organizations or individuals in the United States (including other agencies of the Department, Federal agencies, and agencies of foreign countries), of such fundamental agricultural research, research relating to fundamental science, or related activities as the Institute considers to be necessary to carry out this Act; and

(B) at the request of the Secretary, for the conduct of such specific fundamental agricultural research as is in the national interest or is otherwise of critical importance, as determined by the Secretary, with the concurrence of the Institute;

(4) to make advance, progress, and other payments relating to research and scientific activities without regard to subsections (a) and (b) of section 3324 of title 31, United States Code;

(5) to acquire by purchase, lease, loan, gift, or condemnation, and to hold and dispose of by grant, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority under this Act;

(6) to receive and use donated funds, if the funds are donated without restriction other than that the funds be used in furtherance of 1 or more of the purposes of the Institute;

(7) to publish or arrange for the publication of research and scientific information to further the full dissemination of information

of scientific value consistent with the national interest, without regard to section 501 of title 44, United States Code;

(8)(A) to accept and use the services of voluntary and uncompensated personnel; and

(B) to provide such transportation and subsistence as are authorized by section 5703 of title 5, United States Code, for individuals serving without compensation;

(9) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for scientific or engineering research shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure and accounting of public funds;

(10) to arrange with and reimburse the Secretary, and the heads of other Federal agencies, for the performance of any activity that the Institute is authorized to conduct; and

(11) to enter into contracts, at the request of the Secretary, for the carrying out of such specific agricultural research as is in the national interest or otherwise of critical importance, as determined by the Secretary, with the consent of the Institute.

(b) TRANSFER OF RESEARCH FUNDS OF OTHER DEPARTMENTS OR AGENCIES.—Funds available to the Secretary, or any other department or agency of the Federal Government, for agricultural or scientific research shall be—

(1) available for transfer, with the approval of the Secretary or the head of the other appropriate department or agency involved, in whole or in part, to the Institute for use in providing grants in accordance with the purposes for which the funds were made available; and

(2) if so transferred, expendable by the Institute for those purposes.

(c) RESTRICTION ON ACTIVITIES.—The Institute—

(1) shall be a grant-making entity only; and

(2) shall not—

(A) conduct fundamental agricultural research or research relating to fundamental science; or

(B) operate any laboratory or pilot facility.

#### SEC. 8. BUDGET CONSIDERATIONS.

(a) BUDGETARY MANAGEMENT GOALS.—The Director, in coordination with the Secretary, shall manage the budget of the Institute to achieve the goals of—

(1) providing sufficient funds over a period of time to achieve the purposes of this Act;

(2) fostering outstanding scientific talent, and directing that talent toward work on issues relating to agriculture; and

(3) adequately reimbursing grant-receiving institutions for costs to encourage the pursuit of agriculturally-related research.

(b) BUDGETARY GUIDELINES FOR GRANTS.—

(1) IN GENERAL.—To achieve the goals described in subsection (a), the Institute shall, to the maximum extent practicable, ensure that grants awarded for each fiscal year comply with the guidelines described in paragraphs (2) and (3).

(2) PROJECT GRANTS.—With respect to project grants, to the maximum extent practicable—

(A) the Institute shall award approximately 1,000 new project grants annually;

(B) the average project grant amount, including overhead, shall be approximately \$225,000 for each fiscal year, as adjusted in accordance with the Consumer Price Index for all-urban consumers, United States city average, as published by the Bureau of Labor Statistics;

(C) a project grant shall be provided for a maximum period of 5 years, with an average award duration of 3.5 years;

(D) the Institute shall require the recipients of a project grant to submit appropriate reports on research carried out using funds from the project grant; and

(E) the Institute shall provide such number of training project grants as the Director or the Institute determines to be appropriate.

(3) MULTIDISCIPLINARY GRANTS.—With respect to multidisciplinary grants, to the maximum extent practicable—

(A) for each of fiscal years 2008 through 2011, the Institute shall provide 10 multidisciplinary grants;

(B) for fiscal year 2012 and subsequent fiscal years, the Institute shall provide multidisciplinary grants to fund not fewer than 40 research centers, on the conditions that—

(i) sufficient funds are available; and

(ii) a sufficient number of qualified research proposals are received;

(C) the research centers provided multidisciplinary grants may be composed of a single institution or multiple institutions;

(D) the average multidisciplinary grant amount, including overhead, shall be approximately \$3,000,000 for each fiscal year, as adjusted in accordance with the Consumer Price Index for all-urban consumers, United States city average, as published by the Bureau of Labor Statistics;

(E) a multidisciplinary grant shall be provided for a maximum period of 5 years;

(F) in the aggregate, multidisciplinary grants provided under this paragraph for a fiscal year shall represent approximately 15 percent of the total grants provided by the Institute for the fiscal year, on the condition that a sufficient number of qualified research proposals are received for the fiscal year; and

(G) merit review of the research proposal relating to the multidisciplinary grant is conducted to ensure, to the maximum extent practicable, that only quality research proposals are funded.

(c) INDIRECT COSTS.—As part of a project grant or multidisciplinary grant provided under this Act, the Institute shall pay indirect costs of conducting research, including the costs of overhead, to the recipient of the grant at a rate that is not less than any standard negotiated rate applicable to similar grants made by the National Institutes of Health or the National Science Foundation, as of the date of enactment of this Act, as determined by the Secretary.

#### SEC. 9. FUNDING.

(a) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this Act—

(1) for fiscal year 2008, \$245,000,000 for project grants, of which not more than \$20,000,000 shall be made available for administrative expenses incurred by the Institute;

(2) for fiscal year 2009, \$515,000,000, of which—

(A) not less than \$450,000,000 shall be made available for project grants;

(B) not less than \$30,000,000 shall be made available for multidisciplinary grants; and

(C) not more than \$35,000,000 shall be available for administrative expenses incurred by the Institute;

(3) for fiscal year 2010, \$780,000,000, of which—

(A) not less than \$675,000,000 shall be made available for project grants;

(B) not less than \$60,000,000 shall be made available for multidisciplinary grants; and

(C) not more than \$45,000,000 shall be made available for administrative expenses incurred by the Institute;

(4) for fiscal year 2011, \$935,000,000, of which—

(A) not less than \$800,000,000 shall be made available for project grants;

(B) not less than \$90,000,000 shall be made available for multidisciplinary grants; and

(C) not more than \$45,000,000 shall be made available for administrative expenses incurred by the Institute; and

(5) for fiscal year 2012 and each fiscal year thereafter, \$966,000,000, of which—

(A) not less than \$800,000,000 shall be made available for project grants;

(B) not less than \$120,000,000 shall be made available for multidisciplinary grants; and

(C) not more than \$46,000,000 shall be made available for administrative expenses incurred by the Institute.

(b) LIMITATION.—For fiscal year 2012 and each subsequent fiscal year, administrative expenses paid by the Institute shall not exceed 5 percent of the total expenditures of the Institute for the fiscal year.

Mr. HARKIN. Mr. President, today, Senator BOND and I are introducing the National Institute of Food and Agriculture Act of 2007. The 2002 farm bill created a Research, Education and Economics Task Force within the Department of Agriculture (USDA) to evaluate agricultural research. A key recommendation of this task force was to create a National Institute for Food and Agriculture (NIFA) within USDA in order to support fundamental food and agricultural research to ensure that American agriculture remains competitive now and in the future. This bill does exactly that. The NIFA would be a grant-making agency that funds food and agricultural research through a competitive, peer-reviewed process. These funds would be in addition to, not as a substitute for, current research programs at USDA's Agricultural Research Service (ARS) and Cooperative State Research, Education, and Extension Service (CSREES).

American agriculture must ensure that our Nation continues to produce safe and nutritious food for an increasing population.

Other challenges include renewable energy production, rural development, food safety, nutrition and quality, and conserving the environment. The Senate Committee on Agriculture, Nutrition, and Forestry held a hearing on agricultural research on March 7 of this year, and it became clear to me that what we need in agricultural research is not only more resources, but also more competitive funding while at the same time, preserving the capacity funding necessary for intramural research, extension and education at USDA and at our land-grant institutions. The NIFA Act of 2007 contains \$3.4 billion of mandatory funding for the next 5 years to provide the food and agriculture sector with the innovation needed to confront these and other challenges facing American farmers and consumers of food and agriculture products now and in the future. Over a 10-year period, this legislation would provide for research a little over 1 percent of total mandatory funding at the Department of Agriculture. One percent is certainly a relatively modest investment given the public benefits of agricultural research, the results of which we reap every day as we consume a safe and affordable food supply, and as we look to increase farm-based renewable energy and biobased products. If we do not invest in research

now, increased globalization and competition from foreign markets will become real threats to U.S. agriculture. I encourage my colleagues to join me in supporting the National Institute of Food and Agriculture Act of 2007.

By Mr. LAUTENBERG (for himself, Mr. KENNEDY, Mrs. MURRAY, Mr. SCHUMER, Mrs. BOXER, Mr. HARKIN, and Mr. BROWN):

S. 972. A bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. LAUTENBERG. Mr. President, I rise to introduce the Responsible Education About Life or "REAL" Act along with my cosponsors Senators KENNEDY, MURRAY, SCHUMER, BOXER, and HARKIN.

The REAL Act aims to reduce adolescent pregnancy, HIV rates, and other sexually transmitted diseases, by providing Federal funds for comprehensive sex education in schools.

Comprehensive sex education is medically accurate, age appropriate education that includes information about both contraception and abstinence. It is an approach that tells our kids the truth.

The REAL act will help young people make smart choices and give them all the information—not just the "abstinence only" side of the story.

For years, taxpayer dollars have been flooded into unproven "abstinence-only" programs—while no federal program is dedicated to comprehensive sex education.

Under the Bush administration, Federal support for "abstinence-only" education has expanded rapidly.

The proof is in the numbers. In the last 4 years, the Federal government has spent over \$680 million dollars on "abstinence only" programs. This year President Bush is asking for another \$204 million dollars for "abstinence only" education despite little evidence that these programs actually work.

Would you like to know how much money the government has devoted to comprehensive sex education programs over this same time? Zero dollars.

Much of the taxpayer funds going to "abstinence-only" programs are essentially being wasted.

After years of "abstinence only" programs, the United States still has the highest rates of teen pregnancy in the industrialized world and approximately 50 young Americans a day, an average of two an hour, are infected with HIV.

We have tried denying young people information about contraception and STD prevention and now it is time to provide them with medically accurate comprehensive sex education.

Comprehensive sex education simply works better.

It is a fact that teenagers who receive sex education that includes discussion of contraception are more likely to delay sexual activity than those who receive abstinence-only education.

The American public knows what works. Parents do not want sexual education programs limited to abstinence in schools. More than eight in 10 Americans favor comprehensive sexuality education programs that include information about contraception over those that only promote abstinence.

The stakes are high: of the 19 million cases of sexually transmitted diseases every year in the United States, almost half of them strike young people between the ages of 15 and 24.

These aren't just numbers. These are our sons and daughters whose health and well-being are jeopardized when ideology comes before sound public policy.

That is why we are introducing this legislation today. It's time for a more balanced approach; it's time to protect our kids, and it's time to get REAL.

The REAL Act is step in a more effective direction. It brings sex education up-to-date in a way that will reflect the serious issues and real life situations millions of young people find themselves in every year.

Young people have a right to accurate and complete information that could protect their health and even save their lives. I urge my colleagues to support the REAL Act and make it possible to give young people the tools to make safe and responsible decisions.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 972

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Responsible Education About Life Act".

#### SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The American Medical Association ("AMA"), the American Nurses Association ("ANA"), the American Academy of Pediatrics ("AAP"), the American College of Obstetricians and Gynecologists ("ACOG"), the American Public Health Association ("APHA"), and the Society of Adolescent Medicine ("SAM") support responsible sexuality education that includes information about both abstinence and contraception.

(2) Recent scientific reports by the Institute of Medicine, the American Medical Association, and the Office on National AIDS Policy stress the need for sexuality education that includes messages about abstinence and provides young people with information about contraception for the prevention of teen pregnancy, HIV/AIDS and other sexually transmitted diseases ("STDs").

(3) Government-funded abstinence-only-until-marriage programs are precluded from discussing contraception except to talk about failure rates. An October 2006 report from the Government Accountability Office concluded that the current administration of abstinence-only-until-marriage programs by the Department of Health and Human Services ("HHS") fails to require medical accuracy of the vast majority of funded programs and that no regular monitoring of medical accuracy is being carried out by HHS. The Government Accountability Office also re-

ported on the Department's total lack of appropriate and customary measurements to determine if funded programs are effective. In addition, a separate letter from the Government Accountability Office in October 2006 to the Secretary of Health and Human Services Michael Leavitt contained a legal finding that the Department was in violation of Federal law, in particular section 317P(c)(2) of the Public Health Services Act (42 U.S.C. 247b-17(c)(2)), for not requiring abstinence-only-until-marriage programs to provide full and medically accurate information about the effectiveness of condoms. The Department has argued that the abstinence-only-until-marriage programs are exempt from the law; however, the Government Accountability Office disagrees.

(4) A 2006 statement from the American Public Health Association ("APHA") "recognizes the importance of abstinence education, but only as part of a comprehensive sexuality education program . . . APHA calls for repealing current federal funding for abstinence-only programs and replacing it with funding for a new Federal program to promote comprehensive sexuality education, combining information about abstinence with age-appropriate sexuality education."

(5) The Society for Adolescent Medicine ("SAM") in a 2006 position paper found the following: "Efforts to promote abstinence should be provided within health education programs that provide adolescents with complete and accurate information about sexual health, including information about concepts of healthy sexuality, sexual orientation and tolerance, personal responsibility, risks of HIV and other STIs and unwanted pregnancy, access to reproductive health care, and benefits and risks of condoms and other contraceptive methods... Current funding for abstinence-only programs should be replaced with funding for programs that offer comprehensive, medically accurate sexuality education".

(6) Research shows that teenagers who receive sexuality education that includes discussion of contraception are more likely than those who receive abstinence-only messages to delay sexual activity and to use contraceptives when they do become sexually active.

(7) Comprehensive sexuality education programs respect the diversity of values and beliefs represented in the community and will complement and augment the sexuality education children receive from their families.

(8) The median age of puberty is 13 years and the average age of marriage is over 26 years old. American teens need access to full, complete, and medically and factually accurate information regarding sexuality, including contraception, STD/HIV prevention, and abstinence.

(9) Although teen pregnancy rates are decreasing, the United States has the highest teen pregnancy rate in the industrialized world with between 750,000 and 850,000 teen pregnancies each year. Between 75 and 90 percent of teen pregnancies among 15- to 19-year olds are unintended.

(10) A November 2006 study of declining pregnancy rates among teens concluded that the reduction in teen pregnancy between 1995 and 2002 is primarily the result of increased use of contraceptives. As such, it is critically important that teens receive accurate, unbiased information about contraception.

(11) More than eight out of ten Americans believe that young people should have information about abstinence and protecting themselves from unplanned pregnancies and sexually transmitted diseases.

(12) The United States has the highest rate of infection with sexually transmitted diseases of any industrialized country. In 2005, there were approximately 19,000,000 new

cases of sexually transmitted diseases, almost half of them occurring in young people ages 15 to 24. According to the Centers for Disease Control and Prevention, these sexually transmitted diseases impose a tremendous economic burden with direct medical costs as high as \$14,100,000,000 per year.

(13) Each year, teens in the United States contract an estimated 9.1 million sexually transmitted infections. Each year, one in four sexually active teens contracts a sexually transmitted disease.

(14) Nearly half of the 40,000 annual new cases of HIV infections in the United States occur in youth ages 13 through 24. Approximately 50 young people a day, an average of two young people every hour of every day, are infected with HIV in the United States.

(15) African-American and Latino youth have been disproportionately affected by the HIV/AIDS epidemic. Although African-American adolescents ages 13 through 19 represent only 15 percent of the adolescent population in the United States, they accounted for 73 percent of new AIDS cases reported among teens in 2004. Although Latinos ages 20 through 24 represent only 18 percent of the young adults in the United States, they accounted for 23 percent of the new AIDS cases in 2004.

### SEC. 3. ASSISTANCE TO REDUCE TEEN PREGNANCY, HIV/AIDS, AND OTHER SEXUALLY TRANSMITTED DISEASES AND TO SUPPORT HEALTHY ADOLESCENT DEVELOPMENT.

(a) IN GENERAL.—Each eligible State shall be entitled to receive from the Secretary of Health and Human Services, for each of the fiscal years 2008 through 2012, a grant to conduct programs of family life education, including education on both abstinence and contraception for the prevention of teenage pregnancy and sexually transmitted diseases, including HIV/AIDS.

(b) REQUIREMENTS FOR FAMILY LIFE PROGRAMS.—For purposes of this Act, a program of family life education is a program that—

(1) is age-appropriate and medically accurate;

(2) does not teach or promote religion;

(3) teaches that abstinence is the only sure way to avoid pregnancy or sexually transmitted diseases;

(4) stresses the value of abstinence while not ignoring those young people who have had or are having sexual intercourse;

(5) provides information about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy;

(6) provides information about the health benefits and side effects of all contraceptives and barrier methods as a means to reduce the risk of contracting sexually transmitted diseases, including HIV/AIDS;

(7) encourages family communication about sexuality between parent and child;

(8) teaches young people the skills to make responsible decisions about sexuality, including how to avoid unwanted verbal, physical, and sexual advances and how not to make unwanted verbal, physical, and sexual advances; and

(9) teaches young people how alcohol and drug use can effect responsible decision-making.

(c) ADDITIONAL ACTIVITIES.—In carrying out a program of family life education, a State may expend a grant under subsection (a) to carry out educational and motivational activities that help young people—

(1) gain knowledge about the physical, emotional, biological, and hormonal changes of adolescence and subsequent stages of human maturation;

(2) develop the knowledge and skills necessary to ensure and protect their sexual and reproductive health from unintended preg-

nancy and sexually transmitted disease, including HIV/AIDS throughout their lifespan;

(3) gain knowledge about the specific involvement of and male responsibility in sexual decisionmaking;

(4) develop healthy attitudes and values about adolescent growth and development, body image, gender roles, racial and ethnic diversity, sexual orientation, and other subjects;

(5) develop and practice healthy life skills including goal-setting, decisionmaking, negotiation, communication, and stress management;

(6) promote self-esteem and positive interpersonal skills focusing on relationship dynamics, including, but not limited to, friendships, dating, romantic involvement, marriage and family interactions; and

(7) prepare for the adult world by focusing on educational and career success, including developing skills for employment preparation, job seeking, independent living, financial self-sufficiency, and workplace productivity.

### SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that while States are not required to provide matching funds, they are encouraged to do so.

### SEC. 5. EVALUATION OF PROGRAMS.

(a) IN GENERAL.—For the purpose of evaluating the effectiveness of programs of family life education carried out with a grant under section 3, evaluations of such program shall be carried out in accordance with subsections (b) and (c).

(b) NATIONAL EVALUATION.—

(1) IN GENERAL.—The Secretary shall provide for a national evaluation of a representative sample of programs of family life education carried out with grants under section 3. A condition for the receipt of such a grant is that the State involved agree to cooperate with the evaluation. The purposes of the national evaluation shall be the determination of—

(A) the effectiveness of such programs in helping to delay the initiation of sexual intercourse and other high-risk behaviors;

(B) the effectiveness of such programs in preventing adolescent pregnancy;

(C) the effectiveness of such programs in preventing sexually transmitted disease, including HIV/AIDS;

(D) the effectiveness of such programs in increasing contraceptive knowledge and contraceptive behaviors when sexual intercourse occurs; and

(E) a list of best practices based upon essential programmatic components of evaluated programs that have led to success in subparagraphs (A) through (D).

(2) REPORT.—A report providing the results of the national evaluation under paragraph (1) shall be submitted to the Congress not later than March 31, 2011, with an interim report provided on a yearly basis at the end of each fiscal year.

(c) INDIVIDUAL STATE EVALUATIONS.—

(1) IN GENERAL.—A condition for the receipt of a grant under section 3 is that the State involved agree to provide for the evaluation of the programs of family education carried out with the grant in accordance with the following:

(A) The evaluation will be conducted by an external, independent entity.

(B) The purposes of the evaluation will be the determination of—

(i) the effectiveness of such programs in helping to delay the initiation of sexual intercourse and other high-risk behaviors;

(ii) the effectiveness of such programs in preventing adolescent pregnancy;

(iii) the effectiveness of such programs in preventing sexually transmitted disease, including HIV/AIDS; and

(iv) the effectiveness of such programs in increasing contraceptive knowledge and contraceptive behaviors when sexual intercourse occurs.

(2) USE OF GRANT.—A condition for the receipt of a grant under section 3 is that the State involved agree that not more than 10 percent of the grant will be expended for the evaluation under paragraph (1).

### SEC. 6. DEFINITIONS.

For purposes of this Act:

(1) The term “eligible State” means a State that submits to the Secretary an application for a grant under section 3 that is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this Act.

(2) The term “HIV/AIDS” means the human immunodeficiency virus, and includes acquired immune deficiency syndrome.

(3) The term “medically accurate”, with respect to information, means information that is supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies, and where relevant, published in peer review journals.

(4) The term “Secretary” means the Secretary of Health and Human Services.

### SEC. 7. APPROPRIATIONS.

(a) IN GENERAL.—For the purpose of carrying out this Act, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2008 through 2012.

(b) ALLOCATIONS.—Of the amounts appropriated under subsection (a) for a fiscal year—

(1) not more than 7 percent may be used for the administrative expenses of the Secretary in carrying out this Act for that fiscal year; and

(2) not more than 10 percent may be used for the national evaluation under section 5(b).

By Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. DURBIN, and Ms. COLLINS):

S. 973. A bill to amend the Mandatory Victims' Restitution Act to improve restitution for victims of crime, and for other purposes; to the Committee on the Judiciary.

Mr. DORGAN. Mr. President, I am pleased today to be joined by Senators GRASSLEY, DURBIN and COLLINS in reintroducing the Restitution for Victims of Crime Act. This legislation will give Justice Department officials the tools they say are needed to help them do a better job of collecting court-ordered Federal restitution and fines. It is virtually identical to the bill we introduced in June of last year.

Recent information from the Justice Department suggests the many victims of crime and their families continue to face a significant challenge in trying to recover a sense of emotional and financial security after a crime has been perpetrated against them.

By law, victims of Federal crimes are generally entitled to “full and timely restitution” for losses from a convicted offender. Unfortunately new Justice Department data show that the amount of uncollected Federal criminal debt is still spiraling upward—jumping from some \$41 billion in fiscal year 2005 to nearly \$46 billion at the end of fiscal year 2006. This is a hike of some \$5 billion in uncollected Federal

criminal debt in the past fiscal year alone. Criminal debt ordered by Federal courts in North Dakota that remained uncollected at the end of fiscal year 2006 totaled \$18.7 million, up almost \$4 million from the preceding year.

Crime victims should not have to worry if those in charge of collecting court-ordered restitution on their behalf are making every possible effort to do so. We believe that passing the Restitution for Victims of Crime Act would greatly help Federal criminal justice officials in this task.

Our bill includes provisions that will remove many existing impediments to increased collections. It will also provide new tools to help Federal criminal justice officials prevent criminal defendants from spending or hiding their ill-gotten gains and other financial assets by setting up pre-conviction procedures for preserving assets for victims' restitution.

I hope that my Senate colleagues will help us get the legislation enacted at the first available opportunity. This will send a clear and much-needed message to white collar and other criminals: if you commit a crime you will be held accountable and will not be allowed to benefit in any way from your criminal activity and ill-gotten gains. I also believe this bill will reassure many innocent victims of Federal crime that the justice system is working hard to recover court-ordered restitution that is owed to such victims.

I understand that criminal debt collection can be a tough job. It may be impossible to collect the full amount of restitution owed to victims in some cases. Clearly criminal debt collections may be more difficult in cases where convicted criminals are in prison, ill-gotten gains are already gone or these criminals are without any other financial means to pay their full restitution.

However, victims of crime in this country should expect Federal law enforcement officials tasked with collecting outstanding restitution to do a better job. At the very least, crime victims should not be concerned that their prospects for financial restitution are being diminished because criminal offenders are frittering away their ill-gotten gains on lavish lifestyles and the like. But, as I have mentioned before, past Government Accountability Office (GAO) investigations rightly give many crime victims real reason to worry. GAO's work made clear that more financial assets could be recovered but for a failure of some criminal justice officials to make criminal debt collection a top priority.

At my request, the GAO reviewed five white-collar financial fraud cases and concluded that the Justice Department's prospects were "not good for collecting additional restitution from offenders" owed to the victims—even though one or more of the criminal offenders involved had reported earning millions of dollars in income, having millions in net worth and/or were

spending thousands of dollars monthly on entertainment and clothing prior to the judgments entered against them. In addition, the GAO found that certain offenders had taken expensive trips overseas, had fraudulently obtained millions of dollars in assets and converted those assets for personal use, had established businesses for their children, or held homes worth millions of dollars that were located in upscale neighborhoods. Despite all of this reported wealth, GAO found that only a small fraction of court-ordered restitution owed to victims had been collected.

The legislation that Senator GRASSLEY and I are re-introducing today is based on a comprehensive package of recommendations by the Justice Department that stem in large part from the work of the Task Force on Improving the Collection of Criminal Debt. Justice Department officials believe these changes will remove many of the current impediments to better debt collection.

For example, Justice Department officials described a circumstance where they were prevented by a court from accessing \$400,000 held in a criminal offender's 401(k) plan to pay a \$4 million restitution debt to a victim because that court said the defendant was complying with a \$250 minimum monthly payment plan and that payment schedule precluded any other enforcement actions. Our bill would remove impediments like this in the future.

This legislation will address another major problem identified by the GAO for officials in charge of criminal debt collection; that is, many years can pass between the date a crime occurs and the date a court orders restitution. This gives criminal defendants ample opportunity to spend or hide their ill-gotten gains. Our bill sets up pre-conviction procedures for preserving assets for victims' restitution. These tools will help ensure that financial assets traceable to a crime are available when a court imposes a final restitution order on behalf of a victim. These tools are similar to those already used successfully in some States and by Federal officials in certain asset forfeiture cases.

Key provisions of the bill would do the following:

Clarify that court-ordered Federal criminal restitution is due immediately in full upon imposition, just like in civil cases and that any payment schedule ordered by a court is only a minimum obligation of a convicted offender.

Allow Federal prosecutors to access financial information about a defendant in the possession of the U.S. Probation Office—without the need for a court order.

Clarify that final restitution orders can be enforced by criminal justice officials through the Bureau of Prisons' Inmate Financial Responsibility Program.

Ensure that if a court restricts the ability of criminal justice officials to

enforce a financial judgment, the court must do so expressly for good cause on the record. Absent exceptional circumstances, the court must require a deposit, the posting of a bond or impose additional restraints upon the defendant from transferring or dissipating assets.

Help ensure better recovery of restitution by requiring a court to enter a pre-conviction restraining order or injunction, require a satisfactory performance bond, or take other action necessary to preserve property that is traceable to the commission of a charged offense or to preserve other nonexempt assets if the court determines that it is in the interest of justice to do so.

Under the bill, a criminal defendant is allowed to challenge a court's prejudgment asset preservation order. For example, a defendant may challenge a post-indictment restraining order if he or she can show that there is no probable cause to justify the restraint or the order does not provide the accused with adequate resources for attorney fees or reasonable living expenses.

Permit the Attorney General to commence a civil action under the Anti-Fraud Injunction Statute to enjoin a person who is committing or about to commit a Federal offense that may result in a restitution order; and permit a court to restrain the dissipation of assets in any case where it has power to enjoin the commission of a crime, not just banking or health care fraud as permitted under current law.

Allow the United States under the Federal Debt Collections Procedure Act to use prejudgment remedies to preserve assets in criminal cases that are similar to those used in civil cases when it is needed to preserve a defendant's assets for restitution. Such remedies, including attachment, garnishment, and receivership, are not currently available in criminal cases because there is no enforceable debt prior to an offender's conviction and judgment.

Clarify that a victim's attorney fees may be included in restitution orders, including cases where such fees are a foreseeable result from the commission of the crime, are incurred to help recover lost property or expended by a victim to defend against third-party lawsuits resulting from the defendant's crime.

Allow courts at their discretion to order immediate restitution to those that have suffered economic losses or serious bodily injury or death as the result of environmental felonies. Under current law, courts can impose restitution in such cases as a condition of probation or supervised release but this means that many victims of environment crimes must wait for years to be compensated for their losses, if at all.

The Restitution for Victims of Crime Act has previously been endorsed by a number of organizations concerned about the well-being of crime victims, including: The National Center for Victims of Crime, Mothers Against Drunk



Driving, the National Organization for Victims Assistance (NOVA), the National Alliance to End Sexual Violence, Parents of Murdered Children, Inc., Justice Solutions, the National Network to End Domestic Violence, the National Coalition Against Domestic Violence, and the National Association of VOCA Assistance Administrators (NAVAA). Most recently, the National Crime Victim Law Institute shared its support for our bill.

Last year, United States Attorney Drew Wrigley in Fargo, North Dakota said this legislation “represents important progress toward ensuring that victims of crime are one step closer to being made whole.”

Senator GRASSLEY and I look forward to working with these groups and others to move this bill forward in the legislative process. With the Justice Department’s help, we can make criminal debt collection a top priority for all Federal criminal justice officials once again.

By Ms. COLLINS (for herself, Mr. BAYH, Mr. LEVIN, Mr. GRAHAM, Mr. COCHRAN, Ms. SNOWE, Mr. HARKIN, Ms. STABENOW, Mr. DURBIN, and Mr. SCHUMER):

S. 974. A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 974

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Stopping Overseas Subsidies Act”.

#### SEC. 2. APPLICATION OF COUNTERVAILING DUTIES TO NONMARKET ECONOMIES AND STRENGTHENING APPLICATION OF THE LAW.

(a) IN GENERAL.—Section 701(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1671(a)(1)) is amended by inserting “(including a nonmarket economy country)” after “country” each place it appears.

(b) USE OF ALTERNATE METHODOLOGIES INVOLVING CHINA.—Section 771(5)(E) of the Tariff Act of 1930 (19 U.S.C. 1677(5)(E)) is amended by adding at the end the following: “If the administering authority encounters special difficulties in identifying and calculating the amount of a benefit under clauses (i) through (iv) with respect to an investigation or review involving the People’s Republic of China, without regard to whether the administering authority determines that China is a nonmarket economy country under paragraph (18) of this section, the administering authority shall use methodologies to identify and calculate the amount of the benefit that take into account the possibility that terms and conditions prevailing in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the administering authority should take into account and adjust terms and conditions prevailing in

China before using terms and conditions prevailing outside of China. If the administering authority determines that China is a nonmarket economy country under paragraph (18) of this section, the administering authority shall presume, absent a demonstration of compelling evidence to the contrary, that special difficulties exist in calculating the amount of a benefit under clauses (i) through (iv) with respect to an investigation or review involving China and that it is not practicable to take into account and adjust terms and conditions prevailing in China, and the administering authority shall use terms and conditions prevailing outside of China.”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) apply to petitions filed under section 702 of the Tariff Act of 1930 (19 U.S.C. 1671a) on or after October 1, 2006.

(d) ANTIDUMPING PROVISIONS NOT AFFECTED.—The amendments made by subsections (a) and (b) shall not affect the status of a country as a nonmarket economy country for the purposes of any matter relating to antidumping duties under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(e) RULE OF CONSTRUCTION.—The amendments made by subsections (a) and (b) shall not be construed to affect the interpretation of any provision of law as in effect on the day before the date of the enactment of this Act with respect to the application of countervailing duties to nonmarket economy countries.

#### SEC. 3. REVOCATION OF NONMARKET ECONOMY COUNTRY STATUS.

(a) AMENDMENT OF DEFINITION OF “NONMARKET ECONOMY COUNTRY”.—Section 771(18)(C)(i) of the Tariff Act of 1930 (19 U.S.C. 1677(18)(C)(i)) is amended to read as follows:

“(i) Any determination that a foreign country is a nonmarket economy country shall remain in effect until—

“(I) the administering authority makes a final determination to revoke the determination under subparagraph (A); and

“(II) a joint resolution is enacted into law pursuant to section 3 of the Stopping Overseas Subsidies Act.”.

(b) NOTIFICATION BY PRESIDENT; JOINT RESOLUTION.—Whenever the administering authority makes a final determination under section 771(18)(C)(i)(I) of the Tariff Act of 1930 (19 U.S.C. 1677(18)(C)(i)(I)) to revoke the determination that a foreign country is a nonmarket economy country—

(1) the President shall notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of that determination not later than 10 days after the publication of the administering authority’s final determination in the Federal Register;

(2) the President shall transmit to the Congress a request that a joint resolution be introduced pursuant to this section; and

(3) a joint resolution shall be introduced in the Congress pursuant to this section.

(c) DEFINITION.—For purposes of this section, the term “joint resolution” means only a joint resolution of the 2 Houses of the Congress, the matter after the resolving clause of which is as follows: “That the Congress approves the change of nonmarket economy status with respect to the products of \_\_\_\_\_ transmitted by the President to the Congress on \_\_\_\_\_.”, the first blank space being filled in with the name of the country with respect to which a determination has been made under section 771(18)(C)(i) of the Tariff Act of 1930 (19 U.S.C. 1677(18)(C)(i)), and the second blank space being filled with the date on which the President notified the Committee on Finance of

the Senate and the Committee on Ways and Means of the House of Representatives under subsection (b)(1).

(d) INTRODUCTION.—A joint resolution shall be introduced (by request) in the House of Representatives by the majority leader of the House, for himself, or by Members of the House designated by the majority leader of the House, and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself, or by Members of the Senate designated by the majority leader of the Senate.

(e) AMENDMENTS PROHIBITED.—No amendment to a joint resolution shall be in order in either the House of Representatives or the Senate, and no motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House for the presiding officer to entertain a request to suspend the application of this subsection by unanimous consent.

(f) PERIOD FOR COMMITTEE AND FLOOR CONSIDERATION.—

(1) IN GENERAL.—If the committee or committees of either House to which a joint resolution has been referred have not reported the joint resolution at the close of the 45th day after its introduction, such committee or committees shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the appropriate calendar. A vote on final passage of the joint resolution shall be taken in each House on or before the close of the 15th day after the joint resolution is reported by the committee or committees of that House to which it was referred, or after such committee or committees have been discharged from further consideration of the joint resolution. If, prior to the passage by one House of a joint resolution of that House, that House receives the same joint resolution from the other House, then—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House, but

(B) the vote on final passage shall be on the joint resolution of the other House.

(2) COMPUTATION OF DAYS.—For purposes of paragraph (1), in computing a number of days in either House, there shall be excluded any day on which that House is not in session.

(g) FLOOR CONSIDERATION IN THE HOUSE.—

(1) MOTION PRIVILEGED.—A motion in the House of Representatives to proceed to the consideration of a joint resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) DEBATE LIMITED.—Debate in the House of Representatives on a joint resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a joint resolution or to move to reconsider the vote by which a joint resolution is agreed to or disagreed to.

(3) MOTIONS TO POSTPONE.—Motions to postpone, made in the House of Representatives with respect to the consideration of a joint resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) APPEALS.—All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a joint resolution shall be decided without debate.

(5) OTHER RULES.—Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a joint resolution shall be governed by the

Rules of the House of Representatives applicable to other bills and resolutions in similar circumstances.

(h) FLOOR CONSIDERATION IN THE SENATE.—

(1) MOTION PRIVILEGED.—A motion in the Senate to proceed to the consideration of a joint resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) DEBATE LIMITED.—Debate in the Senate on a joint resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) CONTROL OF DEBATE.—Debate in the Senate on any debatable motion or appeal in connection with a joint resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the joint resolution, except that in the event the manager of the joint resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a joint resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) OTHER MOTIONS.—A motion in the Senate to further limit debate is not debatable. A motion to recommit a joint resolution is not in order.

(i) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsections (c) through (h) are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such subsections (c) through (h) are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of joint resolutions described in subsection (c), and subsections (c) through (h) supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

**SEC. 4. STUDY AND REPORT ON SUBSIDIES BY PEOPLE'S REPUBLIC OF CHINA.**

(a) STUDY.—The United States International Trade Commission shall conduct a study, under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332), regarding how the People's Republic of China uses government intervention to promote investment, employment, and exports. The study shall comprehensively catalog, and when possible quantify, the practices and policies that central, provincial, and local government bodies in the People's Republic of China use to support and to attempt to influence decision-making in China's manufacturing enterprises and industries. Chapters of this study shall include, but not be limited to, the following:

- (1) Privatization and private ownership.
- (2) Nonperforming loans.
- (3) Price coordination.
- (4) Selection of industries for targeted assistance.
- (5) Banking and finance.
- (6) Utility rates.
- (7) Infrastructure development.
- (8) Taxation.
- (9) Restraints on imports and exports.
- (10) Research and development.
- (11) Worker training and retraining.

(12) Rationalization and closure of uneconomic enterprises.

(b) REPORT.—The Congress requests that—

(1) not later than 9 months after the date of the enactment of this Act, the International Trade Commission complete its study under subsection (a), submit a report on the study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and make the report available to the public; and

(2) not later than 1 year after the report under paragraph (1) is submitted, and annually thereafter through 2017, the International Trade Commission prepare and submit to the committees referred to in paragraph (1) an update of the report and make the update of the report available to the public.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 117—COMMEMORATING THE 25TH ANNIVERSARY OF THE CONSTRUCTION AND DEDICATION OF THE VIETNAM VETERANS MEMORIAL

Mr. HAGEL (for himself, Mr. MCCAIN, Mr. KERRY, Mr. WARNER, Mr. ALLARD, Mr. BIDEN, Mr. GRASSLEY, Ms. LANDRIEU, Mr. LUGAR, Mr. HARKIN, Mr. INHOFE, Mrs. CLINTON, Ms. COLLINS, Mr. DODD, Mr. ROBERTS, Mr. REED, Mr. DOMENICI, Mr. SALAZAR, Mr. VOINOVICH, Mr. LEVIN, Mr. VITTER, Ms. MIKULSKI, Mr. BURR, Mr. NELSON of Nebraska, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SCHUMER, Ms. CANTWELL, Mr. BROWN, Mr. DURBIN, Ms. MURKOWSKI, Mr. KENNEDY, Mr. SPECTER, Mrs. MCCASKILL, Mr. BROWNBACK, Mr. OBAMA, Mr. CRAPO, Mr. PRYOR, Mr. STEVENS, Mr. NELSON of Florida, Mr. SUNUNU, Mr. TESTER, Mr. CRAIG, Mr. CONRAD, Mr. GRAHAM, Mr. BYRD, Mr. LAUTENBERG, Mr. INOUE, Mr. AKAKA, Mr. BAUCUS, Mrs. FEINSTEIN, Mrs. BOXER, Mr. COLEMAN, Mr. CHAMBLISS, Mr. CORKER, Mr. ENSIGN, Mr. MCCONNELL, Ms. STABENOW, Mr. LOTT, Mr. CARDIN, Ms. SNOWE, Mr. DORGAN, Mr. ENZI, and Mr. ALEXANDER) submitted the following resolution; which was referred to the Committee on Veterans' Affairs:

S. RES. 117

Whereas 2007 marks the 25th anniversary of the construction and dedication of the Vietnam Veterans Memorial in Washington, D.C.;

Whereas the memorial displays the names of more than 58,000 men and women who lost their lives between 1956 and 1975 in the Vietnam combat area or are still missing in action;

Whereas every year millions of people in the United States visit the monument to pay their respects to those who served in the Armed Forces;

Whereas the Vietnam Veterans Memorial has been a source of comfort and healing for Vietnam veterans and the families of the men and women who died while serving their country; and

Whereas the memorial has come to represent a legacy of healing and demonstrates the appreciation of the people of the United States for those who made the ultimate sacrifice: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its support and gratitude for all of the men and women who served honorably in the Armed Forces of the United States in defense of freedom and democracy during the Vietnam War;

(2) extends its sympathies to all people in the United States who suffered the loss of friends and family in Vietnam;

(3) encourages the people of the United States to remember the sacrifices of our veterans; and

(4) commemorates the 25th anniversary of the construction and dedication of the Vietnam Veterans Memorial.

#### SENATE RESOLUTION 118—URGING THE GOVERNMENT OF CANADA TO END THE COMMERCIAL SEAL HUNT

Mr. LEVIN (for himself, Ms. COLLINS, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 118

Whereas on November 15, 2006, the Government of Canada opened a commercial hunt for seals in the waters off the east coast of Canada;

Whereas an international outcry regarding the plight of the seals hunted in Canada resulted in the 1983 ban by the European Union of whitecoat and blueback seal skins and the subsequent collapse of the commercial seal hunt in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) bars the import into the United States of any seal products;

Whereas in February 2003, the Ministry of Fisheries and Oceans in Canada authorized the highest quota for harp seals in Canadian history, allowing nearly 1,000,000 seals to be killed over a 3-year period;

Whereas more than 1,000,000 seals have been killed over the past 3 years;

Whereas harp seal pups can legally be hunted in Canada as soon as they have begun to molt their white coats at approximately 12 days of age;

Whereas 95 percent of the seals killed over the past 5 years were pups between just 12 days and 12 weeks of age, many of which had not yet eaten their first solid meal or taken their first swim;

Whereas a report by an independent team of veterinarians invited to observe the hunt by the International Fund for Animal Welfare concluded that the seal hunt failed to comply with basic animal welfare regulations in Canada and that governmental regulations regarding humane killing were not being respected or enforced;

Whereas the veterinary report concluded that as many as 42 percent of the seals studied were likely skinned while alive and conscious;

Whereas the commercial slaughter of seals in the Northwest Atlantic is inherently cruel, whether the killing is conducted by clubbing or by shooting;

Whereas many seals are shot in the course of the hunt, but escape beneath the ice where they die slowly and are never recovered, and these seals are not counted in official kill statistics, making the actual kill level far higher than the level that is reported;

Whereas the commercial hunt for harp and hooded seals is a commercial slaughter carried out almost entirely by non-Native people from the East Coast of Canada for seal fur, oil, and penises (used as aphrodisiacs in some Asian markets);

Whereas the fishing and sealing industries in Canada continue to justify the expanded seal hunt on the grounds that the seals in

the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas two Canadian government marine scientists reported in 1994 that the true cause of cod depletion in the North Atlantic was over-fishing, and the consensus among the international scientific community is that seals are not responsible for the collapse of cod stocks;

Whereas harp and hooded seals are a vital part of the complex ecosystem of the Northwest Atlantic, and because the seals consume predators of commercial cod stocks, removing the seals might actually inhibit recovery of cod stocks;

Whereas certain ministries of the Government of Canada have stated clearly that there is no evidence that killing seals will help groundfish stocks to recover; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

*Resolved*, That the Senate urges the Government of Canada to end the commercial hunt on seals that opened in the waters off the east coast of Canada on November 15, 2006.

Mr. LEVIN. Mr. President, Canada's commercial seal hunt is the largest slaughter of marine mammals in the world. According to the Humane Society of the United States (HSUS), over one million seals have been killed for their fur in the past three years. In 2006 alone, more than 350,000 seals were slaughtered, most of them between 12 days and 12 weeks old.

Canada officially opened another seal hunt on November 15, 2006, paving the way for hundreds of thousands of baby seals to be killed for their fur during the spring of 2007. Today, I am joined by Senator COLLINS and Senator BIDEN in submitting a resolution that urges the Government of Canada to end this senseless and inhumane slaughter.

A study by an independent team of veterinarians in 2001, found that the seal hunt failed to comply with basic animal welfare standards and that Canadian regulations with regard to humane killing were not being enforced. The study concluded that up to 42 percent of the seals studied were likely skinned while alive and conscious. The United States has long banned the import of seal products because of widespread outrage over the magnitude and cruelty of the hunt.

It makes little sense to continue this inhumane industry that employs only a few hundred people on a seasonal, part-time basis and only operates for a few weeks a year, in which the concentrated killings takes place. In Newfoundland, where over 90 percent of the hunters live, the economic contribution of the seal hunt is marginal. In fact, exports of seal products from Newfoundland account for less than one-tenth of one percent of the province's total exports.

Canada is fortunate to have vast and diverse wildlife populations, but these animals deserve protection, not senseless slaughter. Americans have a long history of defending marine mammals, best evidenced by the Marine Mammal

Protection Act of 1972. Polls show that close to 80 percent of Americans and the vast majority of Europeans oppose Canada's seal hunt. In fact, close to 70 percent of Canadians surveyed oppose the hunt completely, with even higher numbers opposing specific aspects of the hunt, such as killing baby seals.

The U.S. Government has opposed this senseless slaughter, as noted in the attached, January 19, 2005, letter from the U.S. Department of State, in response to a letter Senator COLLINS and I wrote to President Bush, urging him to raise this issue during his November 30, 2004, visit with Canadian Prime Minister Paul Martin.

The clubbing of baby seals can not be defended or justified. Canada should end it, just as we ended the Alaska seal hunt more than 20 years ago.

I ask unanimous consent that the January 19, 2005, letter from the U.S. State Department and the text of the resolution be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,  
Washington, DC, January 19, 2005.

Hon. CARL LEVIN,  
U.S. Senate,  
Washington, D. C.

DEAR SENATOR LEVIN: This is in response to your letter to the President of November 24, 2004, regarding Canadian commercial seal hunting. The White House has requested that the Department of State respond. We regret the delay in responding. Unfortunately, this letter was not received in the Department of State until mid-December, well after the referenced meeting between President Bush and Prime Minister Paul Martin of Canada.

We are aware of Canada's seal hunting activities and of the opposition to it expressed by many Americans. Furthermore, we can assure you that the United States has a long-standing policy opposing the hunting of seals and other marine mammals absent sufficient safeguards and information to ensure that the hunting will not adversely impact the affected marine mammal population or the ecosystem of which it is a part. The United States policy is reflected in the Marine Mammal Protection Act of 1972 (MMPA) which generally prohibits, with narrow and specific exceptions, the taking of marine mammals in waters or lands subject to the jurisdiction of the United States and the importation of marine mammals and marine mammal products into the United States.

The United States has made known to the Government of Canada its objections and the objections of concerned American legislators and citizens to the Canadian commercial seal hunt on numerous occasions over recent years. The United States has also opposed Canada's efforts within the Arctic Council to promote trade in sealskins and other marine mammal products.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of assistance in this or any other matter.

Sincerely,

NANCY POWELL,  
(For Paul V. Kelly, Asst.  
Secretary, Legislative Affairs).

#### SENATE RESOLUTION 119—TO AUTHORIZE TESTIMONY BY A FORMER DETAILEE OF THE COMMITTEE ON THE JUDICIARY

Mr. REID (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 119

Whereas, the Committee on the Judiciary has received a request from an attorney in the Office of the General Counsel of the Federal Bureau of Investigation for a declaration from a former detailee of the Committee, Steven M. Dettelbach, for use in the Department of Justice's administrative proceeding styled *In re George A. Runkle, Jr.*, OARM-WB No. 06-2;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the former detailee of the Committee on the Judiciary, Steven M. Dettelbach, is authorized to provide a declaration for use in the administrative proceeding *In re George A. Runkle, Jr.*, OARM-WB No. 06-2.

#### SENATE RESOLUTION 120—DESIGNATING MARCH 22, 2007, AS NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

Mr. CHAMBLISS (for himself, Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 120

Whereas rehabilitation counselors conduct assessments, provide counseling, support to families, and plan and implement rehabilitation programs for those in need;

Whereas the purpose of the professional organizations in rehabilitation is to promote the improvement of rehabilitation services available to persons with disabilities through quality education and rehabilitation research for counselors;

Whereas the various professional organizations, including the National Rehabilitation Association (NRA), Rehabilitation Counselors and Educators Association (RCEA), the National Council on Rehabilitation Education (NCRE), the National Rehabilitation Counseling Association (NRCA), the American Rehabilitation Counseling Association (ARCA), the Commission on Rehabilitation Counselor Certification (CRCC), the Council of State Administrators of Vocational Rehabilitation (CSAVR), and the Council on Rehabilitation Education (CORE) have stood firm to advocate up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education;

Whereas on March 22, 1983, Martha Walker of Kent State University, who was President of the NCRE, testified before the Subcommittee on Select Education of the House of Representatives, and was instrumental in bringing to the attention of Congress the need for rehabilitation counselors to be qualified; and

Whereas the efforts of Martha Walker led to the enactment of laws that now require rehabilitation counselors to have proper credentials in order to provide a higher level of quality service to those in need: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 22, 2007, as National Rehabilitation Counselors Appreciation Day; and

(2) commends all of the hard work and dedication that rehabilitation counselors provide to individuals in need and the numerous efforts that the multiple professional organizations have made to assisting those who require rehabilitation.

# SENATE RESOLUTION 23—EXPRESSING THE SENSE OF CONGRESS THAT PROVISIONS THAT PROVOKE VETO THREATS FROM THE PRESIDENT SHOULD NOT BE INCLUDED ON BILLS THAT APPROPRIATE FUNDS FOR THE IMPLEMENTATION OF RECOMMENDATIONS OF THE BASE CLOSURE AND REALIGNMENT COMMISSION

Mr. BROWNBACK (for himself, Mr. ROBERTS) submitted the following concurrent resolution; which was referred to the Committee on Appropriations:

S. CON. RES. 23

Whereas Congress and President George W. Bush approved the final recommendations of the Defense Base Closure and Realignment Commission under the 2005 round of defense base closure and realignment;

Whereas these recommendations propose major changes in the positioning of United States military personnel;

Whereas the Department of Defense is moving rapidly to implement these recommendations;

Whereas the communities near military installations that are slated to receive major troop increases have already invested time and capital in making preparations for upcoming increases in population; and

Whereas funding these recommendations on an annual basis is absolutely necessary for their implementation and the economic confidence of the communities that are expecting increases in population: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that Congress should not include provisions that provoke veto threats from the President in bills that appropriate funds for the implementation of recommendations of the Base Closure and Realignment Commission.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 525. Mr. CORNYN (for himself and Mr. GREGG) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

SA 526. Mr. BAYH (for himself, Ms. SNOWE, and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra.

SA 527. Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 528. Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 529. Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 530. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 531. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 532. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 533. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 534. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 535. Mr. WARNER (for himself, Mr. WEBB, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 536. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 537. Mr. WEBB (for himself, Mr. DURBIN, Mr. KERRY, Mrs. BOXER, Mr. WYDEN, Ms. MIKULSKI, and Mr. REID) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 538. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra.

SA 539. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 540. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 541. Mr. SMITH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 542. Mrs. LINCOLN (for herself, Ms. SNOWE, and Mrs. McCASKILL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra.

SA 543. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 544. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 545. Mr. SANDERS (for himself and Ms. MIKULSKI) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 546. Mr. THUNE (for himself, Mrs. LINCOLN, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 547. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 548. Mr. GRASSLEY submitted an amendment intended to be proposed by him

to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 549. Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 550. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 551. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 552. Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 553. Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 554. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 555. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 556. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 557. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 558. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 559. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

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SA 562. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 563. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 564. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 565. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 566. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 567. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 568. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 569. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 570. Mr. DEMINT submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 571. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 572. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 573. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 574. Mrs. FEINSTEIN (for herself and Mr. KYL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 575. Mr. LEVIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 576. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 577. Mr. COLEMAN (for himself, Ms. SNOWE, Ms. COLLINS, Mr. ROBERTS, and Mr. GRAHAM) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 578. Mr. DEMINT (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 579. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 580. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 581. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 582. Mr. HAGEL (for himself, Mr. COLEMAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 583. Mr. KYL (for himself and Mr. THUNE) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 584. Mr. COLEMAN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 585. Mr. GREGG (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 586. Mr. OBAMA (for himself, Mr. MENENDEZ, Mr. DURBIN, Mr. FEINGOLD, Mr. BINGAMAN, Mr. SALAZAR, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 587. Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. SALAZAR, Mr. FEINGOLD, Mr. MENENDEZ, Mr. SANDERS, Mr. TESTER, Mr. BAUCUS, Mr. KERRY, Mrs. BOXER, Mr. DURBIN, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 588. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 589. Mr. DORGAN (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 590. Mr. DORGAN (for himself, Ms. COLLINS, Mr. FEINGOLD, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 591. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 592. Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 593. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 594. Mr. BUNNING (for himself, Mr. MCCONNELL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 595. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 596. Mr. REED (for himself, Ms. COLLINS, Mr. KENNEDY, Ms. SNOWE, Mr. KERRY, Mr. WHITEHOUSE, Mr. BIDEN, Mr. SANDERS, Mr. SCHUMER, Mr. LIEBERMAN, Mr. PRYOR, Mrs. CLINTON, and Mr. DODD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 597. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 598. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 599. Mr. OBAMA (for himself, Mr. BUNNING, Mr. BINGAMAN, Mr. LUGAR, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 600. Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. ROCKEFELLER, Mr. DURBIN, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 601. Mr. PRYOR (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 602. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 603. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 604. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 605. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 606. Mr. LOTT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 607. Mr. CHAMBLISS (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the concur-

rent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 608. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 609. Mr. GRAHAM (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 610. Mr. PRYOR (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 611. Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 612. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 613. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 614. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 615. Mr. KERRY (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 616. Mr. KERRY (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 617. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 618. Mr. GRASSLEY (for himself, Mr. GREGG, Mr. DEMINT, and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 619. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, Mr. ISAKSON, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 620. Mr. WARNER (for himself, Mr. WEBB, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 525.** Mr. CORNYN (for himself and Mr. GREGG) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 4, line 6, decrease the amount by \$2,047,000,000.

On page 4, line 7, decrease the amount by \$4,291,000,000.

On page 4, line 8, decrease the amount by \$6,949,000,000.

On page 4, line 9, decrease the amount by \$9,936,000,000.

On page 4, line 10, decrease the amount by \$13,270,000,000.

On page 4, line 15, decrease the amount by \$2,047,000,000.

On page 4, line 16, decrease the amount by \$4,291,000,000.

On page 4, line 17, decrease the amount by \$6,949,000,000.

On page 4, line 18, decrease the amount by \$9,936,000,000.

On page 4, line 19, decrease the amount by \$13,270,000,000.

On page 4, line 24, decrease the amount by \$2,047,000,000.

On page 4, line 25, decrease the amount by \$4,291,000,000.

On page 5, line 1, decrease the amount by \$6,949,000,000.

On page 5, line 2, decrease the amount by \$9,936,000,000.

On page 5, line 3, decrease the amount by \$13,270,000,000.

On page 5, line 7, decrease the amount by \$2,047,000,000.

On page 5, line 8, decrease the amount by \$6,339,000,000.

On page 5, line 9, decrease the amount by \$13,288,000,000.

On page 5, line 10, decrease the amount by \$23,224,000,000.

On page 5, line 11, decrease the amount by \$36,494,000,000.

On page 5, line 15, decrease the amount by \$2,047,000,000.

On page 5, line 16, decrease the amount by \$6,339,000,000.

On page 5, line 17, decrease the amount by \$13,288,000,000.

On page 5, line 18, decrease the amount by \$23,224,000,000.

On page 5, line 19, decrease the amount by \$36,494,000,000.

On page 19, line 12, decrease the amount by \$2,000,000,000.

On page 19, line 13, decrease the amount by \$2,000,000,000.

On page 19, line 16, decrease the amount by \$4,100,000,000.

On page 19, line 17, decrease the amount by \$4,100,000,000.

On page 19, line 20, decrease the amount by \$6,500,000,000.

On page 19, line 21, decrease the amount by \$6,500,000,000.

On page 19, line 24, decrease the amount by \$9,100,000,000.

On page 19, line 25, decrease the amount by \$9,100,000,000.

On page 20, line 3, decrease the amount by \$11,900,000,000.

On page 20, line 4, decrease the amount by \$11,900,000,000.

On page 25, line 12, decrease the amount by \$47,000,000.

On page 25, line 13, decrease the amount by \$47,000,000.

On page 25, line 16, decrease the amount by \$191,000,000.

On page 25, line 17, decrease the amount by \$191,000,000.

On page 25, line 20, decrease the amount by \$449,000,000.

On page 25, line 21, decrease the amount by \$449,000,000.

On page 25, line 24, decrease the amount by \$836,000,000.

On page 25, line 25, decrease the amount by \$836,000,000.

On page 26, line 3, decrease the amount by \$1,370,000,000.

On page 26, line 4, decrease the amount by \$1,370,000,000.

**SA 526.** Mr. BAYH (for himself, Ms. SNOWE, and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary lev-

els for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 11, decrease the amount by \$120,000,000.

On page 3, line 12, decrease the amount by \$776,000,000.

On page 3, line 13, decrease the amount by \$178,000,000.

On page 3, line 14, increase the amount by \$349,000,000.

On page 3, line 15, increase the amount by \$742,000,000.

On page 3, line 20, decrease the amount by \$120,000,000.

On page 3, line 21, decrease the amount by \$776,000,000.

On page 3, line 22, decrease the amount by \$178,000,000.

On page 3, line 23, increase the amount by \$349,000,000.

On page 4, line 1, increase the amount by \$742,000,000.

On page 4, line 24, increase the amount by \$120,000,000.

On page 4, line 25, increase the amount by \$776,000,000.

On page 5, line 1, increase the amount by \$178,000,000.

On page 5, line 2, decrease the amount by \$349,000,000.

On page 5, line 3, decrease the amount by \$742,000,000.

On page 5, line 7, increase the amount by \$120,000,000.

On page 5, line 8, increase the amount by \$896,000,000.

On page 5, line 9, increase the amount by \$1,074,000,000.

On page 5, line 10, increase the amount by \$725,000,000.

On page 5, line 11, decrease the amount by \$17,000,000.

On page 5, line 15, increase the amount by \$120,000,000.

On page 5, line 16, increase the amount by \$896,000,000.

On page 5, line 17, increase the amount by \$1,074,000,000.

On page 5, line 18, increase the amount by \$725,000,000.

On page 5, line 19, decrease the amount by \$17,000,000.

**SA 527.** Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 11, line 9, increase the amount by \$125,000,000.

On page 11, line 10, increase the amount by \$56,000,000.

On page 11, line 14, increase the amount by \$50,000,000.

On page 11, line 18, increase the amount by \$13,000,000.

On page 11, line 22, increase the amount by \$6,000,000.

On page 31, line 2, decrease the amount by \$125,000,000.

On page 31, line 7, decrease the amount by \$56,000,000.

On page 31, line 12, decrease the amount by \$50,000,000.

On page 31, line 17, decrease the amount by \$13,000,000.

On page 31, line 22, decrease the amount by \$6,000,000.

**SA 528.** Mr. BIDEN submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by \$40,000,000.

On page 18, line 13, increase the amount by \$11,000,000.

On page 18, line 17, increase the amount by \$18,000,000.

On page 18, line 21, increase the amount by \$9,000,000.

On page 23, line 12, increase the amount by \$60,000,000.

On page 23, line 13, increase the amount by \$13,000,000.

On page 23, line 17, increase the amount by \$18,000,000.

On page 23, line 21, increase the amount by \$12,000,000.

On page 23, line 25, increase the amount by \$9,000,000.

On page 24, line 4, increase the amount by \$8,000,000.

On page 26, line 12, decrease the amount by \$100,000,000.

On page 26, line 13, decrease the amount by \$24,000,000.

On page 26, line 17, decrease the amount by \$36,000,000.

On page 26, line 21, decrease the amount by \$21,000,000.

On page 26, line 25, decrease the amount by \$9,000,000.

On page 27, line 4, decrease the amount by \$8,000,000.

**SA 529.** Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 23, line 12, increase the amount by \$598,000,000.

On page 23, line 13, increase the amount by \$72,000,000.

On page 23, line 17, increase the amount by \$167,000,000.

On page 23, line 21, increase the amount by \$150,000,000.

On page 23, line 25, increase the amount by \$120,000,000.

On page 24, line 4, increase the amount by \$90,000,000.

On page 26, line 12, decrease the amount by \$598,000,000.

On page 26, line 13, decrease the amount by \$72,000,000.

On page 26, line 17, decrease the amount by \$167,000,000.

On page 26, line 21, decrease the amount by \$150,000,000.

On page 26, line 25, decrease the amount by \$120,000,000.

On page 27, line 4, decrease the amount by \$90,000,000.

**SA 530.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009



through 2012; which was ordered to lie on the table; as follows:

On page 47, line 25, strike “direct spending” and all that follows through “or revenue” on page 48, line 1.

**SA 531.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. \_\_\_\_ . CAP ON SPENDING BEYOND INFLATION.**

(a) **REPORT.**—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, projects that Federal spending will exceed the rate of inflation for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce spending relative to the projections of Congressional Budget Office to a level not exceeding the level for the preceding fiscal year adjusted for inflation plus population growth.

(b) **POINTS OF ORDER.**—

(1) **BUDGET RESOLUTION.**—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects that Federal spending will exceed the rate of inflation for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year, any amendment thereto, or any conference report thereon that fails to comply with subsection (a).

(2) **LEGISLATION.**—It shall not be in order in the House of Representatives or the Senate to consider any bill or joint resolution, as reported, or any amendment thereto or conference report thereon, if such measure would exceed the limits set in the budget resolution pursuant to paragraph (1).

(c) **SUPERMAJORITY WAIVER AND APPEAL.**—

(1) **WAIVER.**—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) **APPEAL.**—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) **BUDGET YEAR.**—In this section, the term “budget year” shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SA 532.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . RESERVE FUND FOR TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that pro-

vides for the implementation of a new tax code in the year 2012 based on fairness, simplicity, and international competitiveness, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase spending over the total of the period of fiscal years 2007 through 2012 and such legislation would not increase revenues in any year in the period of fiscal years 2007 through 2012.

**SA 533.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . RESERVE FUND TO BALANCE THE BUDGET WITHOUT RAISING TAXES.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would balance the budget without raising taxes by the amounts provided in that legislation for that purpose, provided that such legislation would not increase spending over the total of the period of fiscal years 2007 through 2012 and such legislation would not increase revenues in any year in the period of fiscal years 2007 through 2012.

**SA 534.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for spinach producers on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 535.** Mr. WARNER (for himself, Mr. WEBB, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 10, line 9, increase the amount by \$163,000,000.

On page 10, line 10, increase the amount by \$163,000,000.

On page 26, line 12, decrease the amount by \$163,000,000.

On page 26, line 13, decrease the amount by \$163,000,000.

**SA 536.** Mr. CHAMBLISS (for himself, Mr. ISAKSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget

for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REAUTHORIZATION OF THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP).**

If the Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that provides for reauthorization of the State Children's Health Insurance Program (SCHIP), eliminates enhanced Federal matching payments for health benefits coverage under SCHIP of nonpregnant adults, and permits States to offer supplemental dental and mental health benefits for children enrolled in SCHIP, then, provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2008 and the period of fiscal years 2008 through 2012.

**SA 537.** Mr. WEBB (for himself, Mr. DURBIN, Mr. KERRY, Mrs. BOXER, Mr. WYDEN, Ms. MIKULSKI, Mr. REID) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 59, line 7, after “erans” insert “, including GI educational benefits”.

**SA 538.** Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND FOR REDUCTION OF IMPROPER PAYMENTS.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by eliminating or reducing improper payments made by agencies reporting improper payments estimates under the Improper Payments Information Act of 2002 and uses such savings to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

**SA 539.** Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-REDUCTION RESERVE FUND FOR DISPOSAL OF EXCESS PROPERTY.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that results in the disposal of vacant or unneeded Federal real property and uses any profits or savings realized to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

**SA 540.** Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-REDUCTION RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by requiring that agencies increase their use of the recovery audits authorized by the Erroneous Payments Recovery Act of 2001 (section 831 of the National Defense Authorization Act of FY2002) and uses such savings to reduce the deficit, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

**SA 541.** Mr. SMITH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by \$505,000,000.

On page 3, line 12, decrease the amount by \$2,690,000,000.

On page 3, line 13, decrease the amount by \$2,758,000,000.

On page 3, line 14, decrease the amount by \$3,585,000,000.

On page 3, line 15, decrease the amount by \$4,331,000,000.

On page 3, line 20, decrease the amount by \$505,000,000.

On page 3, line 21, decrease the amount by \$2,690,000,000.

On page 3, line 22, decrease the amount by \$2,758,000,000.

On page 3, line 23, decrease the amount by \$3,585,000,000.

On page 4, line 1, decrease the amount by \$4,331,000,000.

On page 4, line 6, increase the amount by \$12,000,000.

On page 4, line 7, increase the amount by \$87,000,000.

On page 4, line 8, increase the amount by \$219,000,000.

On page 4, line 9, increase the amount by \$378,000,000.

On page 4, line 10, increase the amount by \$582,000,000.

On page 4, line 15, increase the amount by \$12,000,000.

On page 4, line 16, increase the amount by \$87,000,000.

On page 4, line 17, increase the amount by \$219,000,000.

On page 4, line 18, increase the amount by \$378,000,000.

On page 4, line 19, increase the amount by \$582,000,000.

On page 4, line 24, increase the amount by \$517,000,000.

On page 4, line 25, increase the amount by \$2,777,000,000.

On page 5, line 1, increase the amount by \$2,977,000,000.

On page 5, line 2, increase the amount by \$3,963,000,000.

On page 5, line 3, increase the amount by \$4,913,000,000.

On page 5, line 7, increase the amount by \$517,000,000.

On page 5, line 8, increase the amount by \$3,294,000,000.

On page 5, line 9, increase the amount by \$6,271,000,000.

On page 5, line 10, increase the amount by \$10,234,000,000.

On page 5, line 11, increase the amount by \$15,147,000,000.

On page 5, line 15, increase the amount by \$517,000,000.

On page 5, line 16, increase the amount by \$3,294,000,000.

On page 5, line 17, increase the amount by \$6,271,000,000.

On page 5, line 18, increase the amount by \$10,234,000,000.

On page 5, line 19, increase the amount by \$15,147,000,000.

On page 25, line 12, increase the amount by \$12,000,000.

On page 25, line 13, increase the amount by \$12,000,000.

On page 25, line 16, increase the amount by \$87,000,000.

On page 25, line 17, increase the amount by \$87,000,000.

On page 25, line 20, increase the amount by \$219,000,000.

On page 25, line 21, increase the amount by \$219,000,000.

On page 25, line 24, increase the amount by \$378,000,000.

On page 25, line 25, increase the amount by \$378,000,000.

On page 26, line 3, increase the amount by \$582,000,000.

On page 26, line 4, increase the amount by \$582,000,000.

**SA 542.** Mrs. LINCOLN (for herself, Ms. SNOWE, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 22, line 12, increase the amount by \$70,000,000.

On page 22, line 13, increase the amount by \$62,000,000.

On page 22, line 17, increase the amount by \$8,000,000.

On page 26, line 12, decrease the amount by \$70,000,000.

On page 26, line 13, decrease the amount by \$62,000,000.

On page 26, line 17, decrease the amount by \$8,000,000.

**SA 543.** Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ PROVISION OF ADDITIONAL REVENUES.**

The budgetary totals in this resolution assume that the Internal Revenue Code of 1986 shall be amended in the same manner as provided in sections 211, 212, and 214 of S. 554 of the 110th Congress.

**SA 544.** Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 50, line 8, insert “, such as enhanced charitable giving from individual retirement accounts,” before “and”.

**SA 545.** Mr. SANDERS (for himself and Ms. MIKULSKI) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 11, increase the amount by \$10,300,000,000.

On page 3, line 12, increase the amount by \$14,600,000,000.

On page 3, line 13, increase the amount by \$14,800,000,000.

On page 3, line 14, increase the amount by \$4,500,000,000.

On page 3, line 20, increase the amount by \$10,300,000,000.

On page 3, line 21, increase the amount by \$14,600,000,000.

On page 3, line 22, increase the amount by \$14,800,000,000.

On page 3, line 23, increase the amount by \$4,500,000,000.

On page 4, line 6, increase the amount by \$10,300,000,000.

On page 4, line 7, increase the amount by \$14,600,000,000.

On page 4, line 8, increase the amount by \$14,800,000,000.

On page 4, line 9, increase the amount by \$4,500,000,000.

On page 4, line 15, increase the amount by \$10,300,000,000.

On page 4, line 16, increase the amount by \$14,600,000,000.

On page 4, line 17, increase the amount by \$14,800,000,000.

On page 4, line 18, increase the amount by \$4,500,000,000.

On page 10, line 9, increase the amount by \$10,300,000,000.

On page 10, line 10, increase the amount by \$10,300,000,000.

On page 10, line 13, increase the amount by \$14,600,000,000.

On page 10, line 14, increase the amount by \$14,600,000,000.

On page 10, line 17, increase the amount by \$14,800,000,000.

On page 10, line 18, increase the amount by \$14,800,000,000.

On page 10, line 21, increase the amount by \$4,500,000,000.

On page 10, line 22, increase the amount by \$4,500,000,000.

**SA 546.** Mr. THUNE (for himself, Mrs. LINCOLN, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 23, line 12, increase the amount by \$29,000,000.

On page 23, line 13, increase the amount by \$26,100,000.

On page 23, line 17, increase the amount by \$2,900,000.

On page 26, line 12, decrease the amount by \$29,000,000.

On page 26, line 13, decrease the amount by \$26,100,000.

On page 26, line 17, decrease the amount by \$2,900,000.

**SA 547.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_.** **PROVISION OF DATA ON MEDICARE PART D TO AGENCIES WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND USE OF SUCH DATA FOR CONDUCTING RESEARCH.**

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) calls for the transfer of data on Medicare part D to agencies within the Department of Health and Human Services, such as the Food and Drug Administration, for the purpose of conducting research and other activities to improve the public's safety, such as through enhancing post-marketing surveillance to improve drug safety;

(B) creates a framework and parameters for the use of Medicare part D data by university-based and other researchers for the purpose of conducting research on health care safety, effectiveness, efficiency, and quality and drug utilization, safety, efficacy, and effectiveness, among other topics; and

(C) includes provisions to protect beneficiary privacy and to prevent disclosure of proprietary or trade secret information with respect to the transfer and use of such data; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may revise all

locations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

**SA 548.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 53, line 22, insert "and that includes financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures" after "Act".

**SA 549.** Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 13, line 9, increase the amount by \$10,000,000.

On page 13, line 10, increase the amount by \$10,000,000.

On page 13, line 13, increase the amount by \$10,000,000.

On page 13, line 14, increase the amount by \$10,000,000.

On page 13, line 17, increase the amount by \$3,000,000.

On page 13, line 18, increase the amount by \$3,000,000.

On page 13, line 21, increase the amount by \$0.

On page 13, line 22, increase the amount by \$0.

On page 13, line 25, increase the amount by \$0.

On page 14, line 1, increase the amount by \$0.

On page 26, line 12, decrease the amount by \$10,000,000.

On page 26, line 13, decrease the amount by \$10,000,000.

On page 26, line 16, decrease the amount by \$10,000,000.

On page 26, line 17, decrease the amount by \$10,000,000.

On page 26, line 20, decrease the amount by \$3,000,000.

On page 26, line 21, decrease the amount by \$3,000,000.

On page 26, line 24, decrease the amount by \$0.

On page 26, line 25, decrease the amount by \$0.

On page 27, line 3, decrease the amount by \$0.

On page 27, line 4, decrease the amount by \$0.

**SA 550.** Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009

through 2012; which was ordered to lie on the table; as follows:

On page 31, line 13, strike "2017" and insert "2012".

On page 33, line 24, strike "2017" and insert "2012".

On page 37, line 24, strike "2017" and insert "2012".

**SA 551.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 11, line 9, increase the amount by \$125,000,000.

On page 11, line 10, increase the amount by \$56,000,000.

On page 11, line 14, increase the amount by \$50,000,000.

On page 11, line 18, increase the amount by \$13,000,000.

On page 11, line 22, increase the amount by \$6,000,000.

On page 26, line 12, decrease the amount by \$125,000,000.

On page 26, line 13, decrease the amount by \$56,000,000.

On page 26, line 17, decrease the amount by \$50,000,000.

On page 26, line 121, decrease the amount by \$13,000,000.

On page 326, line 25, decrease the amount by \$6,000,000.

**SA 552.** Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by \$1,000,000.

On page 3, line 15, decrease the amount by \$1,000,000.

On page 3, line 23, decrease the amount by \$1,000,000.

On page 4, line 1, decrease the amount by \$1,000,000.

On page 5, line 2, increase the amount by \$1,000,000.

On page 5, line 3, increase the amount by \$1,000,000.

On page 5, line 10, increase the amount by \$1,000,000.

On page 5, line 11, increase the amount by \$2,000,000.

On page 5, line 18, increase the amount by \$1,000,000.

On page 5, line 19, increase the amount by \$2,000,000.

**SA 553.** Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by \$1,000,000.

On page 3, line 15, decrease the amount by \$1,000,000.

On page 3, line 23, decrease the amount by \$1,000,000.

On page 4, line 1, decrease the amount by \$1,000,000.

On page 5, line 2, increase the amount by \$1,000,000.

On page 5, line 3, increase the amount by \$1,000,000.

On page 5, line 10, increase the amount by \$1,000,000.

On page 5, line 11, increase the amount by \$2,000,000.

On page 5, line 18, increase the amount by \$1,000,000.

On page 5, line 19, increase the amount by \$2,000,000.

**SA 554.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for salaries and expenses of the Farm Service Agency on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 555.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for the International Boundary and Water Commission on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 556.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for the Food and Drug Administration on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 557.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and in-

cluding the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for the National Aeronautics and Space Administration on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 558.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for salaries and expenses for the U.S. House of Representatives on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 559.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for radio upgrades for the U.S. Capitol Police on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 560.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for asbestos mitigation on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 561.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the

authority to designate shall not apply to funding for government contracting reform on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 562.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for rural schools on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 563.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for wildlife suppression on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 564.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for salmon fishery on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 565.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for shrimp and menhaden fishing industries on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 566.** Mr. DEMINT submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for the milk income loss contract program on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 567.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for livestock on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 568.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for peanut storage costs on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 569.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for aquaculture businesses on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 570.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009

through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for citrus assistance on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 571.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for spinach producers on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 572.** Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 12, line 9, increase the amount by \$50,000,000.

On page 12, line 10, increase the amount by \$40,000,000.

On page 12, line 14, increase the amount by \$10,000,000.

On page 26, line 12, decrease the amount by \$50,000,000.

On page 26, line 13, decrease the amount by \$40,000,000.

On page 26, line 17, decrease the amount by \$10,000,000.

**SA 573.** Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

Strike subsection (a) of section 308 and insert the following:

(a) PROVISION OF MEDICARE PART D INFORMATION TO CONGRESSIONAL SUPPORT AGENCIES.—If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) provides for the transfer of data on part D from the Department of Health and Human Service to Congressional Support Agencies, such as the Congressional Budget Office, for the purposes of conducting oversight with respect to part D and comparing prescription drug prices under part D to prices under other programs; and

(B) includes provisions to protect beneficiary privacy and to prevent disclosure of

proprietary or trade secret information with respect to the transfer of such data; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

**SA 574.** Mrs. FEINSTEIN (for herself and Mr. KYL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 23, line 12, increase the amount by \$543,000,000.

On page 23, line 13, increase the amount by \$119,000,000.

On page 23, line 17, increase the amount by \$163,000,000.

On page 23, line 21, increase the amount by \$109,000,000.

On page 23, line 25, increase the amount by \$81,000,000.

On page 24, line 4, increase the amount by \$71,000,000.

On page 26, line 12, decrease the amount by \$543,000,000.

On page 26, line 13, decrease the amount by \$119,000,000.

On page 26, line 17, decrease the amount by \$163,000,000.

On page 26, line 21, decrease the amount by \$109,000,000.

On page 26, line 25, decrease the amount by \$81,000,000.

On page 27, line 4, decrease the amount by \$71,000,000.

At the end, insert the following:

**SEC. \_\_\_\_ SENSE OF CONGRESS ON THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.**

(a) FINDINGS.—Congress makes the following findings:

(1) Control of illegal immigration is a Federal responsibility.

(2) The State Criminal Alien Assistance Program (referred to in this section as “SCAAP”) carried out pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) provides critical funding to States and localities for reimbursement of costs incurred as a result of housing undocumented criminal aliens.

(3) Congress appropriated \$300,000,000 for SCAAP to reimburse State and local governments for those costs in fiscal year 2004.

(4) Congress appropriated \$305,000,000 for SCAAP to reimburse State and local governments for those costs in fiscal year 2005.

(5) Congress appropriated \$405,000,000 for SCAAP to reimburse State and local governments for those costs in fiscal year 2006.

(6) Congress appropriated \$399,000,000 for SCAAP to reimburse State and local governments for those costs in fiscal year 2007.

(7) Congress has authorized to be appropriated \$950,000,000 to carry out SCAAP for each of the fiscal years 2008 through 2011.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the budgetary totals in this resolution assume that \$950,000,000 should be made available for SCAAP for fiscal year 2008.

**SA 575.** Mr. LEVIN submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR MANUFACTURING INITIATIVES.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal government, by leveling the international playing field for United States domestic manufacturers in the areas of health care and trade, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies, and by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 576.** Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, before the period at the end, insert the following: “, except that the authority to designate shall not apply to funding for farmland damaged by freezing temperatures on a supplemental appropriations bill pursuant to subsection (f)(1) that is designated to supplement funding for ongoing combat operations”.

**SA 577.** Mr. COLEMAN (for himself, Ms. SNOWE, Ms. COLLINS, Mr. ROBERTS, and Mr. GRAHAM) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 12, decrease the amount by \$277,000,000.

On page 3, line 13, decrease the amount by \$634,000,000.

On page 3, line 14, decrease the amount by \$939,000,000.

On page 3, line 15, decrease the amount by \$1,307,000,000.

On page 3, line 21, decrease the amount by \$277,000,000.

On page 3, line 22, decrease the amount by \$634,000,000.

On page 3, line 23, decrease the amount by \$939,000,000.

On page 4, line 1, decrease the amount by \$1,307,000,000.

On page 4, line 7, decrease the amount by \$277,000,000.

On page 4, line 8, decrease the amount by \$634,000,000.

On page 4, line 9, decrease the amount by \$939,000,000.

On page 4, line 10, decrease the amount by \$1,307,000,000.

On page 4, line 16, decrease the amount by \$277,000,000.

On page 4, line 17, decrease the amount by \$634,000,000.

On page 4, line 18, decrease the amount by \$939,000,000.

On page 4, line 19, decrease the amount by \$1,307,000,000.

On page 26, line 16, decrease the amount by \$277,000,000.

On page 26, line 17, decrease the amount by \$277,000,000.

On page 26, line 20, decrease the amount by \$634,000,000.

On page 26, line 21, decrease the amount by \$634,000,000.

On page 26, line 24, decrease the amount by \$939,000,000.

On page 26, line 25, decrease the amount by \$939,000,000.

On page 27, line 3, decrease the amount by \$1,307,000,000.

On page 27, line 4, decrease the amount by \$1,307,000,000.

**SA 578.** Mr. DEMINT (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by \$2,100,000,000.

On page 3, line 12, decrease the amount by \$1,400,000,000.

On page 3, line 13, decrease the amount by \$2,900,000,000.

On page 3, line 14, decrease the amount by \$35,000,000,000.

On page 3, line 15, decrease the amount by \$31,000,000,000.

On page 3, line 20, decrease the amount by \$2,100,000,000.

On page 3, line 21, decrease the amount by \$1,400,000,000.

On page 3, line 22, decrease the amount by \$2,900,000,000.

On page 3, line 23, decrease the amount by \$35,000,000,000.

On page 4, line 1, decrease the amount by \$31,000,000,000.

On page 4, line 6, increase the amount by \$50,000,000.

On page 4, line 7, increase the amount by \$133,000,000.

On page 4, line 8, increase the amount by \$240,000,000.

On page 4, line 9, increase the amount by \$1,142,000,000.

On page 4, line 10, increase the amount by \$2,747,000,000.

On page 4, line 15, increase the amount by \$50,000,000.

On page 4, line 16, increase the amount by \$113,000,000.

On page 4, line 17, increase the amount by \$240,000,000.

On page 4, line 18, increase the amount by \$1,142,000,000.

On page 4, line 19, increase the amount by \$2,747,000,000.

On page 4, line 24, increase the amount by \$2,150,000,000.

On page 4, line 25, increase the amount by \$1,533,000,000.

On page 5, line 1, increase the amount by \$3,140,000,000.

On page 5, line 2, increase the amount by \$36,142,000,000.

On page 5, line 3, increase the amount by \$33,747,000,000.

On page 5, line 7, increase the amount by \$2,150,000,000.

On page 5, line 8, increase the amount by \$3,683,000,000.

On page 5, line 9, increase the amount by \$6,823,000,000.

On page 5, line 10, increase the amount by \$42,966,000,000.

On page 5, line 11, increase the amount by \$76,713,000,000.

On page 5, line 15, increase the amount by \$2,150,000,000.

On page 5, line 16, increase the amount by \$3,683,000,000.

On page 5, line 17, increase the amount by \$6,823,000,000.

On page 5, line 18, increase the amount by \$42,966,000,000.

On page 5, line 19, increase the amount by \$76,713,000,000.

On page 25, line 12, increase the amount by \$50,000,000.

On page 25, line 13, increase the amount by \$50,000,000.

On page 25, line 16, increase the amount by \$133,000,000.

On page 25, line 17, increase the amount by \$133,000,000.

On page 25, line 20, increase the amount by \$240,000,000.

On page 25, line 21, increase the amount by \$240,000,000.

On page 25, line 24, increase the amount by \$1,142,000,000.

On page 25, line 25, increase the amount by \$1,142,000,000.

On page 26, line 3, increase the amount by \$2,747,000,000.

On page 26, line 4, increase the amount by \$2,747,000,000.

**SA 579.** Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 14, line 9, increase the amount by \$74,000,000.

On page 14, line 10, increase the amount by \$57,000,000.

On page 14, line 14, increase the amount by \$12,000,000.

On page 14, line 18, increase the amount by \$3,000,000.

On page 14, line 22, increase the amount by \$1,000,000.

On page 15, line 9, decrease the amount by \$74,000,000.

On page 15, line 10, decrease the amount by \$57,000,000.

On page 15, line 14, decrease the amount by \$12,000,000.

On page 15, line 18, decrease the amount by \$3,000,000.

On page 15, line 22, decrease the amount by \$1,000,000.

**SA 580.** Mr. NELSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009



through 2012; which was ordered to lie on the table; as follows:

On page 49, line 17, insert after “disabled military personnel” the following: “or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans’ dependency and indemnity compensation)”.

**SA 581.** Mr. BROWNBACK submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 24, line 12, increase the amount by \$3,000,000.

On page 24, line 13, increase the amount by \$3,000,000.

On page 24, line 16, increase the amount by \$6,000,000.

On page 24, line 17, increase the amount by \$6,000,000.

On page 24, line 20, increase the amount by \$8,000,000.

On page 24, line 21, increase the amount by \$8,000,000.

On page 24, line 24, increase the amount by \$8,000,000.

On page 24, line 25, increase the amount by \$8,000,000.

On page 25, line 3, increase the amount by \$4,000,000.

On page 25, line 4, increase the amount by \$4,000,000.

On page 26, line 12, decrease the amount by \$3,000,000.

On page 26, line 13, decrease the amount by \$2,000,000.

On page 26, line 16, decrease the amount by \$6,000,000.

On page 26, line 17, decrease the amount by \$6,000,000.

On page 26, line 20, decrease the amount by \$8,000,000.

On page 26, line 21, decrease the amount by \$8,000,000.

On page 26, line 24, decrease the amount by \$8,000,000.

On page 26, line 25, decrease the amount by \$8,000,000.

On page 27, line 3, decrease the amount by \$4,000,000.

On page 27, line 4, decrease the amount by \$4,000,000.

**SA 582.** Mr. HAGEL (for himself, Mr. COLEMAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008, and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. 326. SENSE OF THE SENATE.**

It is the sense of the Senate that of the increase in funding provided by this concurrent resolution for the Department of Education, \$2,000,000,000 should be provided directly to the Secretary of Education to be used exclusively to fund part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

**SA 583.** Mr. KYL (for himself and Mr. THUNE) proposed an amendment to the

concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 11, decrease the amount by \$20,000,000.

On page 3, line 12, decrease the amount by \$388,000,000.

On page 3, line 13, decrease the amount by \$886,000,000.

On page 3, line 14, decrease the amount by \$17,390,000,000.

On page 3, line 15, decrease the amount by \$14,602,000,000.

On page 3, line 20, decrease the amount by \$20,000,000.

On page 3, line 21, decrease the amount by \$388,000,000.

On page 3, line 22, decrease the amount by \$886,000,000.

On page 3, line 23, decrease the amount by \$17,390,000,000.

On page 4, line 1, decrease the amount by \$14,602,000,000.

On page 4, line 7, increase the amount by \$10,000,000.

On page 4, line 8, increase the amount by \$40,000,000.

On page 4, line 9, increase the amount by \$472,000,000.

On page 4, line 10, increase the amount by \$1,246,000,000.

On page 4, line 16, increase the amount by \$10,000,000.

On page 4, line 17, increase the amount by \$40,000,000.

On page 4, line 18, increase the amount by \$472,000,000.

On page 4, line 19, increase the amount by \$1,246,000,000.

On page 4, line 24, increase the amount by \$20,000,000.

On page 4, line 25, increase the amount by \$398,000,000.

On page 5, line 1, increase the amount by \$926,000,000.

On page 5, line 2, increase the amount by \$17,862,000,000.

On page 5, line 3, increase the amount by \$15,848,000,000.

On page 5, line 7, increase the amount by \$20,000,000.

On page 5, line 8, increase the amount by \$418,000,000.

On page 5, line 9, increase the amount by \$1,345,000,000.

On page 5, line 10, increase the amount by \$19,207,000,000.

On page 5, line 11, increase the amount by \$35,054,000,000.

On page 5, line 15, increase the amount by \$20,000,000.

On page 5, line 16, increase the amount by \$418,000,000.

On page 5, line 17, increase the amount by \$1,345,000,000.

On page 5, line 18, increase the amount by \$19,207,000,000.

On page 5, line 19, increase the amount by \$35,054,000,000.

On page 25, line 16, increase the amount by \$10,000,000.

On page 25, line 17, increase the amount by \$10,000,000.

On page 25, line 20, increase the amount by \$40,000,000.

On page 25, line 21, increase the amount by \$40,000,000.

On page 25, line 24, increase the amount by \$472,000,000.

On page 25, line 25, increase the amount by \$472,000,000.

On page 26, line 3, increase the amount by \$1,246,000,000.

On page 26, line 4, increase the amount by \$1,246,000,000.

**SA 584.** Mr. COLEMAN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by \$75,000,000.

On page 18, line 13, increase the amount by \$45,000,000.

On page 18, line 17, increase the amount by \$22,500,000.

On page 18, line 21, increase the amount by \$7,500,000.

On page 26, line 12, decrease the amount by \$75,000,000.

On page 26, line 13, decrease the amount by \$45,000,000.

On page 26, line 17, decrease the amount by \$22,500,000.

On page 26, line 21, decrease the amount by \$7,500,000.

**SA 585.** Mr. GREGG (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. RESERVE FUND TO IMPROVE HEALTH CARE QUALITY AND INFORMATION.**

In the Senate, if the Senate Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) requires the Centers for Medicare & Medicaid Services to share Medicare enrollment, claims, survey, and assessment data with select private sector entities to develop reports to measure health care quality for the public in a manner that ensures beneficiary privacy;

(2) allows such select private sector entities to develop reports to measure health care quality and cost at the provider and supplier level; and

(3) includes incentives to improve quality and reduce cost throughout the health care delivery system,

then, provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate aggregates to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2008 and for the period of fiscal years 2008 through 2012.

**SA 586.** Mr. OBAMA (for himself, Mr. MENENDEZ, Mr. DURBIN, Mr. FEINGOLD, Mr. BINGAMAN, Mr. SALAZAR, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget

for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 61, after line 16, insert the following:

(4) provides for more timely processing of applications or fee reductions for legal immigrants seeking to become citizens;

**SA 587.** Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. SALAZAR, Mr. FEINGOLD, Mr. MENENDEZ, Mr. SANDERS, Mr. TESTER, Mr. BAUCUS, Mr. KERRY, Mrs. BOXER, Mr. DURBIN, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 48, between lines 14 and 15, insert the following:

**SEC. 210. PROHIBITION ON SCORING OF AMOUNTS FROM SALES OR LEASES OF CERTAIN FEDERAL LAND.**

Any amount realized from the sale or lease of land or interests in land (other than a sale or lease authorized by statute, as of the date of adoption of this concurrent resolution by both Houses) that are part of the National Park System, the National Forest System, or the National Wildlife Refuge System shall not be scored with respect to the level of budget authority, outlays, or revenues.

**SA 588.** Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

After section 322, insert the following:

**SEC. 322A. DEFICIT-NEUTRAL RESERVE FUND FOR PRESCHOOL OPPORTUNITIES.**

If the Committee on Health, Education, Labor, and Pensions of the Senate, after providing sufficient funding for Head Start and the Child Care and Development Block Grant, reports a bill or a joint resolution, or an amendment is offered in the Senate to such a bill or joint resolution, or a conference report is submitted to the Senate on a such a bill or joint resolution, that augments or establishes a Federal program that provides assistance to States that offer or expand preschool to children of low-income families, the Chairman of the Committee on the Budget of the Senate may revisit the aggregates, allocations, and other appropriate levels in this resolution by amounts provided in such measure for that purpose, provided that such legislation would not increase the deficit for the total of the period of fiscal years 2007 through 2012.

**SA 589.** Mr. DORGAN (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for

fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 62, between lines 7 and 8, insert the following:

**SEC. 322A. DEFICIT-NEUTRAL RESERVE FUND FOR THE SAFE IMPORTATION OF FDA-APPROVED PRESCRIPTION DRUGS.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 590.** Mr. DORGAN (for himself, Ms. COLLINS, Mr. FEINGOLD, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 18, line 12, increase the amount by \$9,000,000.

On page 18, line 13, increase the amount by \$3,000,000.

On page 18, line 17, increase the amount by \$4,000,000.

On page 18, line 21, increase the amount by \$2,000,000.

On page 26, line 12, decrease the amount by \$9,000,000.

On page 26, line 13, decrease the amount by \$3,000,000.

On page 26, line 17, decrease the amount by \$4,000,000.

On page 26, line 21, decrease the amount by \$2,000,000.

**SA 591.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE CHILD SUPPORT COLLECTIONS.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that allows and encourages States to reinvest incentive payments received under part D of title IV of the Social Security Act to improve child support collections, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 592.** Mrs. DOLE submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 13, line 9, increase the amount by \$50,000,000.

On page 13, line 10, increase the amount by \$50,000,000.

On page 13, line 13, increase the amount by \$50,000,000.

On page 13, line 14, increase the amount by \$50,000,000.

On page 13, line 17, increase the amount by \$50,000,000.

On page 13, line 18, increase the amount by \$50,000,000.

On page 13, line 21, increase the amount by \$50,000,000.

On page 13, line 22, increase the amount by \$50,000,000.

On page 13, line 25, increase the amount by \$50,000,000.

On page 14, line 1, increase the amount by \$50,000,000.

On page 26, line 12, decrease the amount by \$50,000,000.

On page 26, line 13, decrease the amount by \$50,000,000.

On page 26, line 16, decrease the amount by \$50,000,000.

On page 26, line 17, decrease the amount by \$50,000,000.

On page 26, line 20, decrease the amount by \$50,000,000.

On page 26, line 21, decrease the amount by \$50,000,000.

On page 26, line 24, decrease the amount by \$50,000,000.

On page 26, line 25, decrease the amount by \$50,000,000.

On page 27, line 3, decrease the amount by \$50,000,000.

On page 27, line 4, decrease the amount by \$50,000,000.

**SA 593.** Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 53, line 9, insert “, except that, in order to promote competition and lower drug prices under part D of title XVIII of such Act, the Secretary of Health and Human Services may not interfere with the negotiations between drug manufacturers and pharmacies and PDP sponsors with respect to drugs for the treatment of diabetes,” after “1395w-111(i)(1)”).

**SA 594.** Mr. BUNNING (for himself Mr. MCCONNELL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING STATE FLEXIBILITY IN MEDICAID.**

If the Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is

submitted thereon, that implements improvements to Medicare, Medicaid, or the State Children's Health Insurance Program, but that does not reduce the ability of States to provide coverage to Medicaid recipients through flexible benefit options that provide greater opportunities to provide health benefits coverage for Medicaid recipients, or alter the guarantee in section 1937 of the Social Security Act of coverage of early and periodic screening, diagnostic, and treatment services for children, then, provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2008 and the period of fiscal years 2008 through 2012.

**SA 595.** Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by \$0.

On page 3, line 11, decrease the amount by \$5,600,000,000.

On page 3, line 12, decrease the amount by \$14,300,000,000.

On page 3, line 13, decrease the amount by \$15,600,000,000.

On page 3, line 14, decrease the amount by \$17,500,000,000.

On page 3, line 15, decrease the amount by \$19,800,000,000.

On page 3, line 19, decrease the amount by \$0.

On page 3, line 20, decrease the amount by \$5,600,000,000.

On page 3, line 21, decrease the amount by \$14,300,000,000.

On page 3, line 22, decrease the amount by \$15,600,000,000.

On page 3, line 23, decrease the amount by \$17,500,000,000.

On page 4, line 1, decrease the amount by \$19,800,000,000.

On page 4, line 5, decrease the amount by \$0.

On page 4, line 6, decrease the amount by \$5,600,000,000.

On page 4, line 7, decrease the amount by \$14,300,000,000.

On page 4, line 8, decrease the amount by \$15,600,000,000.

On page 4, line 9, decrease the amount by \$17,500,000,000.

On page 4, line 10, decrease the amount by \$19,800,000,000.

On page 4, line 14, decrease the amount by \$0.

On page 4, line 15, decrease the amount by \$5,600,000,000.

On page 4, line 16, decrease the amount by \$14,300,000,000.

On page 4, line 17, decrease the amount by \$15,600,000,000.

On page 4, line 18, decrease the amount by \$17,500,000,000.

On page 4, line 19, decrease the amount by \$19,800,000,000.

On page 26, line 8, decrease the amount by \$0.

On page 26, line 9, decrease the amount by \$0.

On page 26, line 12, decrease the amount by \$5,600,000,000.

On page 26, line 13, decrease the amount by \$5,600,000,000.

On page 26, line 16, decrease the amount by \$14,300,000,000.

On page 26, line 17, decrease the amount by \$14,300,000,000.

On page 26, line 20, decrease the amount by \$15,600,000,000.

On page 26, line 21, decrease the amount by \$15,600,000,000.

On page 26, line 24, decrease the amount by \$17,500,000,000.

On page 26, line 25, decrease the amount by \$17,500,000,000.

On page 27, line 3, decrease the amount by \$19,800,000,000.

On page 27, line 4, decrease the amount by \$19,800,000,000.

**SA 596.** Mr. REED (for himself, Ms. COLLINS, Mr. KENNEDY, Ms. SNOWE, Mr. KERRY, Mr. WHITEHOUSE, Mr. BIDEN, Mr. SANDERS, Mr. SCHUMER, Mr. LIEBERMAN, Mr. PRYOR, Mrs. CLINTON, and Mr. DODD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 20, line 12, increase the amount by \$703,000,000.

On page 20, line 13, increase the amount by \$527,000,000.

On page 20, line 17, increase the amount by \$162,000,000.

On page 20, line 21, increase the amount by \$14,000,000.

On page 26, line 12, decrease the amount by \$703,000,000.

On page 26, line 13, decrease the amount by \$527,000,000.

On page 26, line 17, decrease the amount by \$162,000,000.

On page 26, line 21, decrease the amount by \$14,000,000.

**SA 597.** Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 50, line 7, insert "the permanent extension of expensing under section 179 of the Internal Revenue Code of 1986 with an increase in the expensing limit to \$200,000 and the phaseout threshold to \$800,000 and other" after "including".

**SA 598.** Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR EXTENSION OF CERTAIN ENERGY TAX INCENTIVES.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allo-

cations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would extend through 2015 energy tax incentives, including the production tax credit for electricity produced from renewable resources, the Clean Renewable Energy Bond program, and the provisions to encourage energy efficient buildings, products and power plants, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

**SA 599.** Mr. OBAMA (for himself, Mr. BUNNING, Mr. BINGAMAN, Mr. LUGAR, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 11, line 9, increase the amount by \$200,000,000.

On page 11, line 10, increase the amount by \$50,000,000.

On page 11, line 14, increase the amount by \$70,000,000.

On page 11, line 18, increase the amount by \$50,000,000.

On page 11, line 22, increase the amount by \$10,000,000.

On page 12, line 1, increase the amount by \$10,000,000.

On page 26, line 12, decrease the amount by \$200,000,000.

On page 26, line 13, decrease the amount by \$50,000,000.

On page 26, line 17, decrease the amount by \$70,000,000.

On page 26, line 21, decrease the amount by \$50,000,000.

On page 26, line 25, decrease the amount by \$10,000,000.

On page 27, line 4, decrease the amount by \$10,000,000.

**SA 600.** Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. ROCKEFELLER, Mr. DURBIN, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR A DELAY IN THE IMPLEMENTATION OF A PROPOSED RULE RELATING TO THE FEDERAL-STATE FINANCIAL PARTNERSHIPS UNDER MEDICAID AND SCHIP.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for a delay in the implementation of the proposed rule published on January 18, 2007, on pages 2236 through 2248 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule that would affect the Medicaid program and SCHIP in a similar manner, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 601.** Mr. PRYOR (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . RESERVE FUND TO PROVIDE ADDITIONAL TRAINING FOR PHYSICIANS AND ATTRACT MORE PHYSICIANS IN STATES THAT FACE A SHORTAGE OF PHYSICIANS IN TRAINING.**

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides additional training for physicians and attracts more physicians in States that face a shortage of physicians in training, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

**SA 602.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by \$40,000,000.

On page 18, line 13, increase the amount by \$36,000,000.

On page 18, line 17, increase the amount by \$4,000,000.

On page 26, line 12, decrease the amount by \$40,000,000.

On page 26, line 13, decrease the amount by \$36,000,000.

On page 26, line 17, decrease the amount by \$4,000,000.

**SA 603.** Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 9, line 8, decrease the amount by \$22,000,000.

On page 9, line 9, decrease the amount by \$18,000,000.

On page 9, line 13, decrease the amount by \$3,000,000.

On page 9, line 17, decrease the amount by \$1,000,000.

On page 26, line 12, increase the amount by \$22,000,000.

On page 26, line 13, increase the amount by \$18,000,000.

On page 26, line 17, increase the amount by \$3,000,000.

On page 26, line 21, increase the amount by \$1,000,000.

**SA 604.** Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional

budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENSE OF SENATE ON REDEPLOYMENT OF UNITED STATES MILITARY FORCES FROM IRAQ.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The bipartisan Iraq Study Group recommended that all United States combat brigades not necessary for force protection could be out of Iraq by the first quarter of 2008 and that “the U.S. should not make an open-ended commitment to keep large numbers of American troops deployed in Iraq”.

(2) On November 15, 2005, the Senate voted 79-19 in support of an amendment stating that “calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq”.

(b) SENSE OF SENATE.—It is the sense of the Senate that the budget of the Department of Defense for fiscal year 2008 includes funding for the redeployment of United States military forces from Iraq.

**SA 605.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR UNEMPLOYMENT INSURANCE MODERNIZATION LEGISLATION.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that modernizes unemployment insurance by making incentive payments to States, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 606.** Mr. LOTT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by \$13,800,000,000.

On page 3, line 11, decrease the amount by \$36,600,000,000.

On page 3, line 12, decrease the amount by \$41,700,000,000.

On page 3, line 13, decrease the amount by \$46,900,000,000.

On page 3, line 14, decrease the amount by \$39,300,000,000.

On page 3, line 15, decrease the amount by \$23,900,000,000.

On page 3, line 19, decrease the amount by \$13,800,000,000.

On page 3, line 20, decrease the amount by \$36,600,000,000.

On page 3, line 21, decrease the amount by \$41,700,000,000.

On page 3, line 22, decrease the amount by \$46,900,000,000.

On page 3, line 23, decrease the amount by \$39,300,000,000.

On page 3, line 24, decrease the amount by \$23,900,000,000.

On page 4, line 5, increase the amount by \$225,000,000.

On page 4, line 6, increase the amount by \$1,539,000,000.

On page 4, line 7, increase the amount by \$3,413,000,000.

On page 4, line 8, increase the amount by \$5,653,000,000.

On page 4, line 9, increase the amount by \$7,944,000,000.

On page 4, line 10, increase the amount by \$9,809,000,000.

On page 4, line 14, increase the amount by \$225,000,000.

On page 4, line 15, increase the amount by \$1,539,000,000.

On page 4, line 16, increase the amount by \$3,413,000,000.

On page 4, line 17, increase the amount by \$5,653,000,000.

On page 4, line 18, increase the amount by \$7,944,000,000.

On page 4, line 19, increase the amount by \$9,809,000,000.

On page 4, line 23, increase the amount by \$14,025,000,000.

On page 4, line 24, increase the amount by \$38,139,000,000.

On page 4, line 25, increase the amount by \$45,113,000,000.

On page 5, line 1, increase the amount by \$52,553,000,000.

On page 5, line 2, increase the amount by \$47,244,000,000.

On page 5, line 3, increase the amount by \$33,709,000,000.

On page 5, line 6, increase the amount by \$14,025,000,000.

On page 5, line 7, increase the amount by \$52,164,000,000.

On page 5, line 8, increase the amount by \$97,278,000,000.

On page 5, line 9, increase the amount by \$149,831,000,000.

On page 5, line 10, increase the amount by \$197,075,000,000.

On page 5, line 11, increase the amount by \$230,784,000,000.

On page 5, line 14, increase the amount by \$14,025,000,000.

On page 5, line 15, increase the amount by \$52,164,000,000.

On page 5, line 16, increase the amount by \$97,278,000,000.

On page 5, line 17, increase the amount by \$149,831,000,000.

On page 5, line 18, increase the amount by \$197,075,000,000.

On page 5, line 19, increase the amount by \$230,784,000,000.

On page 25, line 8, increase the amount by \$225,000,000.

On page 25, line 9, increase the amount by \$225,000,000.

On page 25, line 12, increase the amount by \$1,539,000,000.

On page 25, line 13, increase the amount by \$1,539,000,000.

On page 25, line 16, increase the amount by \$3,413,000,000.

On page 25, line 17, increase the amount by \$3,413,000,000.

On page 25, line 20, increase the amount by \$5,653,000,000.

On page 25, line 21, increase the amount by \$5,653,000,000.

On page 25, line 24, increase the amount by \$7,944,000,000.

On page 25, line 25, increase the amount by \$7,944,000,000.

On page 26, line 3, increase the amount by \$9,809,000,000.

On page 26, line 4, increase the amount by \$9,809,000,000.

**SA 607.** Mr. CHAMBLISS (for himself and Mr. GRAHAM of Florida) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVED RETIREMENT BENEFITS FOR MEMBERS OF THE READY RESERVE OF THE ARMED FORCES.**

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for an improved retirement benefit for members of the Ready Reserve, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 608.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 23, line 12, increase the amount by \$50,000,000.

On page 23, line 13, increase the amount by \$45,000,000.

On page 23, line 17, increase the amount by \$5,000,000.

On page 24, line 12, increase the amount by \$250,000,000.

On page 24, line 13, increase the amount by \$250,000,000.

On page 26, line 12, decrease the amount by \$300,000,000.

On page 26, line 13, decrease the amount by \$295,000,000.

On page 26, line 17, decrease the amount by \$5,000,000.

**SA 609.** Mr. GRAHAM (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ SOCIAL SECURITY RESTRUCTURING.**

(a) FINDINGS.—The Senate finds that—

(1) Social Security is the foundation of retirement income for most Americans;

(2) preserving and strengthening the long term viability of Social Security is a vital national priority and is essential for the retirement security of today's working Americans, current and future retirees, and their families;

(3) Social Security faces significant fiscal and demographic pressures;

(4) the nonpartisan Office of the Chief Actuary at the Social Security Administration reports that—

(A) the number of workers paying taxes to support each Social Security beneficiary has dropped from 16.5 in 1950 to 3.3 in 2006;

(B) within a generation there will be only 2 workers to support each retiree, which will substantially increase the financial burden on American workers;

(C) without structural reform, the Social Security system, beginning in 2017, will pay out more in benefits than the system will collect in taxes;

(D) without structural reform, the Social Security trust fund will be exhausted in 2040, and Social Security tax revenue in 2040 will only cover 74 percent of promised benefits, and will decrease to 70 percent by 2080;

(E) without structural reform, future Congresses may have to raise payroll taxes 50 percent over the next 75 years to pay full benefits on time, resulting in payroll tax rates of as much as 17.6 percent by 2050 and 18.7 percent by 2080;

(F) without structural reform, Social Security's total cash shortfall over the next 75 years is estimated to be \$4,600,000,000,000 measured in present value terms; and

(G) absent structural reforms, spending on Social Security will increase from 4.3 percent of gross domestic product in 2006 to 6.3 percent in 2080; and

(5) the Congressional Budget Office, the General Accounting Office, the Congressional Research Service, the Chairman of the Federal Reserve Board, and the President's Commission to Strengthen Social Security have all warned that failure to enact fiscally responsible Social Security reform quickly will result in 1 or more of the following:

(A) Higher tax rates.

(B) Lower Social Security benefit levels.

(C) Increased Federal debt or less spending on other Federal programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President, Congress, and the American people including seniors, workers, women, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and sustainable Social Security system; and

(2) Social Security reform—

(A) must protect current and near retirees from any changes to Social Security benefits;

(B) must reduce the pressure on future taxpayers and on other budgetary priorities;

(C) must provide benefit levels that adequately reflect individual contributions to the Social Security system; and

(D) must preserve and strengthen the safety net for vulnerable populations including the disabled and survivors.

(3) The Senate should honor section 13301 of the Budget Enforcement Act of 1990.

**SA 610.** Mr. PRYOR (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012;

which was ordered to lie on the table; as follows:

On page 14, line 5, increase the amount by \$10,000,000.

On page 14, line 6, increase the amount by \$10,000,000.

On page 14, line 9, increase the amount by \$10,000,000.

On page 14, line 10, increase the amount by \$10,000,000.

On page 14, line 13, increase the amount by \$10,000,000.

On page 14, line 14, increase the amount by \$10,000,000.

On page 14, line 17, increase the amount by \$10,000,000.

On page 14, line 18, increase the amount by \$10,000,000.

On page 14, line 21, increase the amount by \$10,000,000.

On page 14, line 22, increase the amount by \$10,000,000.

On page 14, line 25, increase the amount by \$10,000,000.

On page 15, line 1, increase the amount by \$10,000,000.

On page 26, line 8, decrease the amount by \$10,000,000.

On page 26, line 9, decrease the amount by \$10,000,000.

On page 26, line 12, decrease the amount by \$10,000,000.

On page 26, line 13, decrease the amount by \$10,000,000.

On page 26, line 16, decrease the amount by \$10,000,000.

On page 26, line 17, decrease the amount by \$10,000,000.

On page 26, line 20, decrease the amount by \$10,000,000.

On page 26, line 21, decrease the amount by \$10,000,000.

On page 26, line 24, decrease the amount by \$10,000,000.

On page 26, line 25, decrease the amount by \$10,000,000.

On page 27, line 3, decrease the amount by \$10,000,000.

On page 27, line 4, decrease the amount by \$10,000,000.

**SA 611.** Mr. PRYOR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 10, line 9, increase the amount by \$40,000,000.

On page 10, line 14, increase the amount by \$40,000,000.

On page 10, line 18, increase the amount by \$40,000,000.

On page 10, line 22, increase the amount by \$40,000,000.

On page 11, line 1, increase the amount by \$40,000,000.

On page 26, line 12, decrease the amount by \$40,000,000.

On page 26, line 17, decrease the amount by \$40,000,000.

On page 26, line 21, decrease the amount by \$40,000,000.

On page 26, line 25, decrease the amount by \$40,000,000.

On page 27, line 4, decrease the amount by \$40,000,000.

**SA 612.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States

Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 12, increase the amount by \$50,000,000,000.

On page 3, line 13, increase the amount by \$50,000,000,000.

On page 3, line 14, increase the amount by \$50,000,000,000.

On page 3, line 15, increase the amount by \$50,000,000,000.

On page 3, line 21, increase the amount by \$50,000,000,000.

On page 3, line 22, increase the amount by \$50,000,000,000.

On page 3, line 23, increase the amount by \$50,000,000,000.

On page 4, line 1, increase the amount by \$50,000,000,000.

On page 4, line 7, increase the amount by \$50,000,000,000.

On page 4, line 8, increase the amount by \$50,000,000,000.

On page 4, line 9, increase the amount by \$50,000,000,000.

On page 4, line 10, increase the amount by \$50,000,000,000.

On page 4, line 16, increase the amount by \$30,383,000,000.

On page 4, line 17, increase the amount by \$40,410,000,000.

On page 4, line 18, increase the amount by \$45,220,000,000.

On page 4, line 19, increase the amount by \$47,603,000,000.

On page 4, line 25, decrease the amount by \$19,617,000,000.

On page 5, line 1, decrease the amount by \$9,590,000,000.

On page 5, line 2, decrease the amount by \$4,780,000,000.

On page 5, line 3, decrease the amount by \$2,397,000,000.

On page 5, line 8, decrease the amount by \$19,617,000,000.

On page 5, line 9, decrease the amount by \$29,207,000,000.

On page 5, line 10, decrease the amount by \$33,987,000,000.

On page 5, line 11, decrease the amount by \$36,384,000,000.

On page 5, line 16, decrease the amount by \$19,617,000,000.

On page 5, line 17, decrease the amount by \$29,207,000,000.

On page 5, line 18, decrease the amount by \$33,987,000,000.

On page 5, line 19, decrease the amount by \$36,384,000,000.

On page 8, line 12, increase the amount by \$47,500,000,000.

On page 8, line 13, increase the amount by \$28,500,000,000.

On page 8, line 16, increase the amount by \$47,500,000,000.

On page 8, line 17, increase the amount by \$38,000,000,000.

On page 8, line 20, increase the amount by \$47,500,000,000.

On page 8, line 21, increase the amount by \$42,750,000,000.

On page 8, line 24, increase the amount by \$47,500,000,000.

On page 8, line 25, increase the amount by \$45,125,000,000.

On page 22, line 16, increase the amount by \$2,500,000,000.

On page 22, line 17, increase the amount by \$1,883,000,000.

On page 22, line 20, increase the amount by \$2,500,000,000.

On page 22, line 21, increase the amount by \$2,410,000,000.

On page 22, line 24, increase the amount by \$2,500,000,000.

On page 22, line 25, increase the amount by \$2,470,000,000.

On page 23, line 3, increase the amount by \$2,500,000,000.

On page 23, line 4, increase the amount by \$2,478,000,000.

On page 41, line 9, increase the amount by \$50,000,000,000.

On page 41, line 10, increase the amount by \$30,383,000,000.

**SA 613.** Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 63, after line 24, insert the following:

**SEC. 326. DEFICIT-NEUTRAL RESERVE FOR ASBESTOS REFORM LEGISLATION.**

The Chairman of the Senate Committee on the Budget shall revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report regarding asbestos reform, that (i) provides monetary compensation to impaired victims of an asbestos-related disease, (ii) does not provide monetary compensation to unimpaired claimants or those suffering from a disease who cannot establish that asbestos exposure was a contributing factor in causing their condition, and (iii) is estimated to remain funded from nontaxpayer sources for the life of the fund, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

**SA 614.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 9, line 8, increase the amount by \$10,000,000.

On page 9, line 9, increase the amount by \$8,000,000.

On page 9, line 12, increase the amount by \$\_\_\_\_\_.

On page 9, line 13, increase the amount by \$1,000,000.

On page 9, line 16, increase the amount by \$\_\_\_\_\_.

On page 9, line 17, increase the amount by \$1,000,000.

On page 14, line 9, increase the amount by \$10,000,000.

On page 14, line 10, increase the amount by \$8,000,000.

On page 14, line 13, increase the amount by \$\_\_\_\_\_.

On page 14, line 14, increase the amount by \$1,000,000.

On page 14, line 17, increase the amount by \$\_\_\_\_\_.

On page 14, line 18, increase the amount by \$1,000,000.

On page 23, line 12, increase the amount by \$10,000,000.

On page 23, line 13, increase the amount by \$8,000,000.

On page 23, line 16, increase the amount by \$\_\_\_\_\_.

On page 23, line 17, increase the amount by \$1,000,000.

On page 24, line 20, increase the amount by \$\_\_\_\_\_.

On page 23, line 21, increase the amount by \$1,000,000.

On page 24, line 12, increase the amount by \$10,000,000.

On page 24, line 13, increase the amount by \$8,000,000.

On page 24, line 16, increase the amount by \$\_\_\_\_\_.

On page 24, line 17, increase the amount by \$1,000,000.

On page 24, line 20, increase the amount by \$\_\_\_\_\_.

On page 24, line 21, increase the amount by \$1,000,000.

On page 26, line 12, decrease the amount by \$40,000,000.

On page 26, line 13, decrease the amount by \$32,000,000.

On page 26, line 16, decrease the amount by \$\_\_\_\_\_.

On page 26, line 17, decrease the amount by \$4,000,000.

On page 26, line 20, decrease the amount by \$\_\_\_\_\_.

On page 26, line 21, decrease the amount by \$4,000,000.

**SA 615.** Mr. KERRY (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 59, line 7, after "erans," insert "including services for low-vision and blinded veterans,".

**SA 616.** Mr. KERRY (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 14, line 9, increase the amount by \$97,000,000.

On page 14, line 10, increase the amount by \$75,000,000.

On page 14, line 14, increase the amount by \$16,000,000.

On page 14, line 18, increase the amount by \$4,000,000.

On page 14, line 22, increase the amount by \$1,000,000.

On page 26, line 12, decrease the amount by \$97,000,000.

On page 26, line 13, decrease the amount by \$75,000,000.

On page 26, line 17, decrease the amount by \$16,000,000.

On page 26, line 21, decrease the amount by \$4,000,000.

On page 26, line 25, decrease the amount by \$1,000,000.

**SA 617.** Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009



through 2012; which was ordered to lie on the table; as follows:

After section 322, insert the following:

**SEC. 322A. DEFICIT-NEUTRAL RESERVE FUND FOR PRESCHOOL OPPORTUNITIES.**

If the Committee on Health, Education, Labor, and Pensions of the Senate, reports a bill or a joint resolution, or an amendment is offered in the Senate to such a bill or joint resolution, or a conference report is submitted to the Senate on a such a bill or joint resolution, that augments or establishes a Federal program that provides assistance to States that offer or expand preschool to children of low-income families, the Chairman of the Committee on the Budget of the Senate may revisit the aggregates, allocations, and other appropriate levels in this resolution by amounts provided in such measure for that purpose, provided that such legislation would not increase the deficit for the total of the period of fiscal years 2007 through 2012.

**SA 618.** Mr. GRASSLEY (for himself, Mr. GREGG, Mr. DEMINT, and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 58, strike lines 14 through 26 and insert the following:

**SEC. 316. RESERVE FUND FOR ACCESS TO AFFORDABLE HEALTH CARE.**

In the Senate, if the Senate Committee on Finance or the Senate Committee on Health, Education, Labor, and Pensions reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that improves health care by —

- (1) reducing the number of uninsured;
- (2) addressing rising health care costs;
- (3) improving health care quality; and
- (4) protecting individuals with health coverage,

then, provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate aggregates to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2008 and for the period of fiscal years 2008 through 2012.

**SA 619.** Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, Mr. ISAKSON, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 23, line 12, increase the amount by \$376,000,000.

On page 23, line 13, increase the amount by \$338,400,000.

On page 23, line 17, increase the amount by \$37,000,000.

On page 26, line 12, decrease the amount by \$376,000,000.

On page 26, line 13, decrease the amount by \$338,400,000.

On page 26, line 17, decrease the amount by \$37,000,000.

**SA 620.** Mr. WARNER (for himself, Mr. WEBB, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 15, line 9, increase the amount by \$163,000,000.

On page 15, line 10, increase the amount by \$163,000,000.

On page 26, line 12, decrease the amount by \$163,000,000.

On page 26, line 13, decrease the amount by \$163,000,000.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON ARMED SERVICES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 22, 2007, at 9:30 a.m., in open session to receive testimony on U.S. Southern Command, U.S. Northern Command, and U.S. Joint Forces Command in review of the defense authorization request for fiscal year 2008 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON ARMED SERVICES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 22, 2007, at 2 p.m., in closed session to receive a briefing on detention and judicial capacity in Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 22, 2007, at 10 a.m., to conduct a hearing on "Mortgage Market Turmoil: Causes and Consequences."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, March 22, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to discuss Federal Aviation Administration modernization proposals.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, March 22, 2007, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the "Future of Coal" report recently published by the Massachusetts Institute of Technology.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FINANCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, March 22, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on "Keeping America's Promise: Health Care and Child Welfare Services for Native Americans."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 22, 2007, at 10:30 a.m., to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, March 22, 2007, at 10 a.m., for a hearing titled "Deconstructing Reconstruction: Problems, Challenges, and the Way Forward in Iraq and Afghanistan."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON INDIAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, March 22, 2007, at 9:45 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Indian Housing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 22, 2007, at 10:00 a.m. in Dirksen Room 226.

#### Agenda

I. Committee Authorization: Authorization of Subpoenas in Connection with Investigation into Replacement of U.S. Attorneys.

II. Bills: S. 236, Federal Agency Data Mining Reporting Act of 2007, Feingold, Sununu, Leahy, Kennedy, Cardin; S. 376, Law Enforcement Officers Safety

Act of 2007, Leahy, Specter, Kyl, Cornyn, Grassley, Sessions; S. 849, OPEN Government Act, Leahy, Cornyn, Feingold, Specter.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 22, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Thursday, March 22, 2007 at 2:30 p.m. for a hearing entitled, Safeguarding the Merit System Principals: A Review of the Merit Systems Protection Board and the Office of the Special Counsel.

The PRESIDING OFFICER. Without objection, it is so ordered.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I ask unanimous consent the Senate now proceed to executive session to consider the following nomination: Calendar No. 47, that the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### IN THE ARMY

The following named officer for appointment to the grade of lieutenant general in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Peter W. Chiarelli, 0000

### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

#### MEASURES INDEFINITELY POSTPONED—S. 194, S. 219, S. 412

Mr. CASEY. Mr. President, I ask unanimous consent that the following calendar items be indefinitely postponed: Calendar No. 54, S. 194; Calendar No. 55, S. 219; and Calendar No. 56, S. 412.

The PRESIDING OFFICER. Without objection, it is so ordered.

### AUTHORIZATION OF TESTIMONY

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 119, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 119) to authorize testimony by a former Committee on the Judiciary detailee.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Committee on the Judiciary has received a request from an attorney with the Federal Bureau of Investigation for a declaration from a former Judiciary Committee detailee for use in a Department of Justice administrative proceeding brought by an FBI employee claiming whistleblower protection. The FBI requests the declaration to address the employee's allegations regarding a conversation between the committee detailee and the FBI employee.

This resolution would provide authority for the former committee detailee to provide a declaration for use in the FBI's administrative proceeding.

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 119) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 119

Whereas, the Committee on the Judiciary has received a request from an attorney in the Office of the General Counsel of the Federal Bureau of Investigation for a declaration from a former detailee of the Committee, Steven M. Dettelbach, for use in the Department of Justice's administrative proceeding styled *In re George A. Runkle, Jr.*, OARM-WB No. 06-2;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the former detailee of the Committee on the Judiciary, Steven M. Dettelbach, is authorized to provide a declaration for use in the administrative proceeding *In re George A. Runkle, Jr.*, OARM-WB No. 06-2.

### ORDERS FOR FRIDAY, MARCH 23, 2007

Mr. CASEY. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand adjourned until 9 a.m.; Friday, March 23; that on Friday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that the Senate then resume consideration of S. Con. Res. 21, with 30 minutes remaining for debate equally divided or controlled between the chairman and ranking member of the Budget Committee; that when the voting sequence begins there be 2 minutes of debate equally divided prior to each vote in the sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ORDER FOR ADJOURNMENT

Mr. CASEY. Mr. President, if there is no further business today, and if the Republican leader has nothing further, I now ask unanimous consent that following the last speaker on the Republican side, the Senate stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

### NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 120, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 120) designating March 22, 2007, as National Rehabilitation Counselors Appreciation Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 120) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 120

Whereas rehabilitation counselors conduct assessments, provide counseling, support to families, and plan and implement rehabilitation programs for those in need;

Whereas the purpose of the professional organizations in rehabilitation is to promote the improvement of rehabilitation services available to persons with disabilities through quality education and rehabilitation research for counselors;

Whereas the various professional organizations, including the National Rehabilitation Association (NRA), Rehabilitation Counselors and Educators Association (RCEA), the National Council on Rehabilitation Education (NCRE), the National Rehabilitation

Counseling Association (NRCA), the American Rehabilitation Counseling Association (ARCA), the Commission on Rehabilitation Counselor Certification (CRCC), the Council of State Administrators of Vocational Rehabilitation (CSAVR), and the Council on Rehabilitation Education (CORE) have stood firm to advocate up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education;

Whereas on March 22, 1983, Martha Walker of Kent State University, who was President of the NCRE, testified before the Subcommittee on Select Education of the House of Representatives, and was instrumental in bringing to the attention of Congress the need for rehabilitation counselors to be qualified; and

Whereas the efforts of Martha Walker led to the enactment of laws that now require rehabilitation counselors to have proper credentials in order to provide a higher level of quality service to those in need: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 22, 2007, as National Rehabilitation Counselors Appreciation Day; and

(2) commends all of the hard work and dedication that rehabilitation counselors provide to individuals in need and the numerous efforts that the multiple professional organizations have made to assisting those who require rehabilitation.

#### CONCLUSION OF MORNING BUSINESS

Mr. CASEY. Mr. President, I ask morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2008—Continued

AMENDMENT NO. 536

Mr. CHAMBLISS. Mr. President, I rise tonight to discuss for a few minutes amendment No. 536, which has been filed by my colleague from Georgia, Senator ISAKSON, and myself. In offering this amendment to the budget resolution, we truly believe it is a fair amendment and puts children first, in the way the State Children's Health Insurance Program was intended.

When SCHIP was created in 1997, it was instituted to do exactly what the name states: provide health care coverage to uninsured children. I do not believe you will find anyone here who disagrees with that purpose because it provides health insurance to hard-working families who earn too much to qualify for Medicaid but not enough to buy private insurance.

There has been a lot of discussion about the long-term aspects of that program lately, and rightfully so. However, some States are using their SCHIP funding to cover adults, and that is not the intention of this program. In fact, three States have more adults as enrollees than children. There are 12 States that will spend almost \$807 million of their SCHIP money on more than 671,000 adults this year.

When we talk about children's health care, two of the components that are critical include dental care and mental health care. That is the specific focus of our amendment. Our proposal would eliminate States in receiving an enhanced SCHIP matching rate for adults who are covered under the SCHIP program. If States continue to choose to insure adults with SCHIP funds, they will receive a lower Federal match instead of the normal SCHIP match. We think this approach makes the most sense because SCHIP was created to cover children.

The increased Federal match was created as an incentive for States to cover these kids, not adults. This new lower match rate for adults will free up funding to create a budget-neutral reserve fund to provide for dental and mental health benefits for children. So, again, our amendment simply says this: If States want to use their SCHIP funds to cover adults, which is a decision States may choose to make, they will receive the Medicaid matching rate.

We are not saying the States should not provide health insurance coverage for adults who need it. At the same time it is important to emphasize that SCHIP funding is for kids. Our amendment uses this funding intended for children for two very important components of children's health care, that being dental care and mental health.

I believe we must craft policies to ensure the greatest number of children are provided quality health care and quality dental care. I was extremely saddened to hear recently of a 12-year-old boy in Prince George's County, MD, who died from a toothache and an inability to find proper care. I do not know whether this child was on an SCHIP program or was on Medicaid. But this is only one example of the need for increased access to dental care for children. It is heartbreaking and inexcusable that something as tragic as this could happen, when a routine tooth extraction may have saved this young boy's life.

Parents know and understand that things as routine as dental care are critically important to a child's overall health. Tooth decay remains a prevalent, chronic disease, and is the single most common childhood disease nationwide. It is five times as common as asthma, and, unfortunately, minority, low-income, and geographically isolated children suffer disproportionately from this disease. Eighty percent of all tooth decay is found in only 25 percent of children. These are the children the SCHIP program was created to help. We can and we must do better for these kids. This amendment does exactly what we ought to be doing with SCHIP, namely providing health insurance coverage for children, not adults.

I urge my colleagues to do what is right and support this amendment.

AMENDMENT NO. 619

Mr. President, let me very quickly talk about one other amendment I have filed. It is amendment No. 619.

This particular amendment deals with the Edward Byrne Memorial Justice Grant Program, which is commonly referred to as the Byrne/JG Program. It is an amendment which Senator FEINSTEIN, Senator ISAKSON, Senator GRAHAM, and I have filed. The Byrne/JG Program is the primary provider of Federal criminal justice funding to State and local jurisdictions. The funding supports all components of the criminal justice system from multi-jurisdictional drug and gang task forces to community crime prevention programs, to substance abuse programs, prosecution initiatives, domestic violence programs, and information-sharing initiatives.

I will tell you that our law enforcement officials, our sheriffs, our prosecutors, our drug court professionals, and many of our public servants in the law enforcement arena rely on this funding to make our communities safer. The results they get with this funding are tangible and real.

In February of last year, the Iowa Governor's Office of Drug Control Policy conducted a survey to obtain a clearer, quantifiable, and more complete national picture of the Byrne/JG program's impact on drug and criminal efforts in America. This survey focused on the 2004 grant year and found that drug enforcement task forces funded by the Byrne/JG program in 45 States made more than 221,000 drug arrests. The achievements of those multijurisdictional drug enforcement task forces are impressive.

For example, 45 States reported seizing almost 18,000 kilograms of cocaine, with an estimated consumer street value of over \$1.6 billion. Forty States reported seizing just shy of 5,500 kilograms of methamphetamine, with an estimated street value of \$518 million.

The States participating in this survey reported the total value of drugs seized at over \$12 billion. This figure represents more than \$63 dollars in seized drugs for every dollar spent on drug task forces. This is indeed an amendment which will reinstate the level of funding for the Byrne/JG Program to last year's level. We are not asking it to be any higher than that. By doing that, we will allow our law enforcement community to continue to provide the type of safety and protection citizens all across America want.

Before I yield the floor, I wish to note several well-respected organizations, including the National Narcotics Officers Association Coalition, the National Sheriffs' Association, the National District Attorneys' Association, the National Association of Drug Court Professionals, the National Criminal Justice Association, and the International Association of Chiefs of Police support this robust funding for the program.

I encourage my colleagues to support amendment No. 619.

Mr. President, I ask that my entire statement be inserted into the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I am delighted to come to the floor and join in support of the amendment offered by Senator CHAMBLISS and myself with regard to the State Children's Health Insurance Program.

The State Children's Health Insurance Program was begun in 1997. At that particular time I was chairman of the board of education in the State of Georgia. I applauded the Federal Government for providing this asset and this benefit to our States.

For the benefit of those who aren't familiar, the SCHIP program is a Medicaid Program, but unlike Medicaid today, it is a block grant, it is not an entitlement. Specific funds are block-granted to the States for the purpose of providing affordable health insurance to children in poverty.

That is the way the program began. As years have gone by, States have chosen to elect to ask for waivers from Washington to expand the coverage beyond children. Meritoriously, some States have asked to cover pregnant mothers in poverty under the SCHIP program. I would be the first person to tell you that is an appropriate appropriation of funds and the intent of the bill.

However, other States have chosen to add adults who do not have children to coverage under SCHIP, the result of which has compromised the program and taken money that was intended to go to children and sent it to adults.

By way of example, my State of Georgia runs out of SCHIP money this month. We do not provide any SCHIP benefits to anybody who is not a child. Our eligibility threshold is 235 percent of poverty. So it is exactly as prescribed originally. But because we are a growth State and in addition took on the children from Katrina, we have run out of money early, because we had an increase in the number of people in our State using and taking advantage of SCHIP.

There are other States that have used their money up by adults consuming it under this program. What Senator CHAMBLISS and I have done is simply said this: If you are going to include adults in the Children's Health Insurance Program, which is a Medicaid program, then the reimbursement to those States by the Federal Government for the cost for children ought to be the enhanced amount which Congress passed in 1997, which is about 70 percent of the cost. But if you are going to include adults, that match ought to be the 63-percent Medicaid match, not the enhanced match that was put in to attract people in the first place to provide children's health insurance. Then you take that differential and you put it into a reserve fund, and offer States the opportunity to enhance their children's health insurance by including dental and/or mental health benefits.

We know from our experience with young children in poverty that early prevention of dental disease and good dental health provides a lifetime for those children of healthy teeth, a lifetime of absence of dental disease, and a saving of untold millions of dollars in this country.

So what Senator CHAMBLISS and I have brought to the floor is very simply this premise: If you pass a State Children's Health Insurance Program, shouldn't it go to the benefit of children's health? If you decide to include adults, why should the Medicaid match be any greater than it is for adults anyway? And if you create additional funds by making this differentiation, should not those funds go to the two areas which are most important in terms of children's health, dental and mental health?

I submit this is a thoughtful amendment. It is affordable because it is budget neutral. It takes the SCHIP program back to where it was intended, for children. It does not punish a State that includes adults under the Medicaid program, but it requires them to go back to the regular Medicaid match, not the enhanced match that was created for children's health insurance.

If we adopt this amendment, more children will have healthier lives and children in poverty will continue to get the benefit of a wise and beneficial program this Congress passed in 1997.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I thank the Presiding Officer for staying here late this evening. I hope anyone who is not watching this is watching the KU-Southern Illinois game on right now, which is quite a barn burner going on.

I have an amendment I want to talk about, because we are going to go into the long voting session tomorrow and will not have a great deal of time to talk about it then. But it is an important amendment. It is an important amendment for the budget. It is an important amendment for the long-term process.

A lot of my colleagues will be very familiar with the BRAC process, the Base Realignment and Closure Commission process. It was enacted at least a dozen years ago, probably a little more than that. It is a process by which we have a commission look at military bases. They consider the military bases, consider whether they are useful where they are currently located, if it would be better for them to be realigned, if it is better for a base to

be closed and that money put somewhere else.

It has been a very effective process for us to be able to take spending and put it in higher priority areas, whereas historically if you tried to eliminate a military base, it was virtually impossible to do, because you would go at the military base in a particular State, and it would not matter how old the base had been or whether it was out of position, the Members of that State would defend it.

We were rarely able to close a military base. So we enacted the BRAC process. That process created a commission, and they looked at all the military establishments. It then said that these 65, 125, 233 bases should be closed. We have higher priorities for this money. The process is chopped off on by the President, and then it comes to Congress, one vote up or down, agree, disagree, deal or no deal. By that means, we have realigned over \$40 billion in annual appropriations, total appropriations on military bases. It has been a very good process to eliminate wasteful Federal spending in places where it is not needed. We need that process for the rest of Government. We spend about \$2.9 trillion on an annual basis. We have not found effective ways to eliminate wasteful Federal spending.

I have yet to find somebody running for public office at the Federal level—or any level, for that matter—who says they are for wasteful government spending or they are for duplicative government spending. If everybody is saying they are against it and they are against waste, fraud, and abuse and they keep looking for that line in the budget to wipe it out, here is a realistic way we can deal with that, take that BRAC process and apply to it the rest of Government.

What could it yield? Let me give some examples using this quick report card. Regularly, the Government puts out a report card on the effectiveness of our own Government spending programs, whether they are hitting their targets or not. They score them. You can look here at a few of agencies. For the State Department, they reviewed 40 programs for this OMB report card. They score them for effectiveness in what the program was targeted for. They were at a median score of 77.93 percent. I gave them the letter grade of a C-plus, based on the regular report card system. Here you can see the Department of Education, HUD, EPA. For the Department of Education, 74 programs were scored. They had a median score of 44.5, which I gave a letter score of an F. That is what my kids would get. That is what I would give if I were teaching, saying: This is not an effective Government program. Why is it we can't go in and find some of these education programs that are not being effective and eliminate them? It is because the system is built to spend.

There is an old maxim that Ronald Reagan used that there is nothing so

permanent as a temporary Government program. Once in place, they seem to sustain themselves. They get a support group around them, and then the specific controls over the general. If it is a program that somebody in Vermont wants to maintain or Kansas wants to maintain, even though maybe its effectiveness is very low, we defend it because it is for our States. That is the specific. If the general interest would say this should be eliminated, let's change the system so they can save money. We can do so using the military base-closing process and use that money for higher priority needs.

I want to eliminate deaths by cancer in 10 years. This is going to take a real research effort and focus. To do so, we spend \$2.9 trillion in the budget now. We have enough money, but it is not in the right places. Let's use this system to reduce and eliminate wasteful spending and then be able to target higher priority areas.

This is a program which both Republicans and Democrats, in whatever philosophical position you may put yourself, would say is a good idea. This is something which is bipartisan, non-partisan, and it is for good governance and good government. It changes the system because the system is built to spend. It is built to spend almost perennially. It needs to be adjusted.

I want to quote from former President Clinton's adviser Paul Weinstein, of the Progressive Policy Institute, who testified before the Senate about this approach:

Our organization has believed that the best way to achieve comprehensive reform in the executive branch is to combine the commission function with a mechanism to require Congress to vote on its recommendations. Senator Brownback's CARFA [Commission on Accountability and Review of Federal Agencies] legislation would provide this type of commission.

Here again, we have to realize the difficulties of this system. The strength of the system is spending money. The strength of the system is not saving money. Change it to combine both a commission and a requirement for legislative action.

Under the CARFA proposal, once every 4 years an agency would be reviewed for recommendations being made on whether eliminations should be made in that agency. It would then be put together in a package and sent to the President to either agree or disagree. It would then go to the Congress for the Congress to look at, as we do the BRAC process now. It would then be required to be voted upon with a limited time period for debate without amendment. You look at it, and then you get a chance to look at the overall practices and the package, and then you can say I agree, vote yes, I disagree, vote no, deal or no deal. This is a process which has worked.

I submit to my colleagues, both sides of the aisle, all persuasions, we have a lot of high-priority needs. We don't have the money focused in the high-priority areas. Too often, it is focused

on things that we are maintaining from the past that maybe have less saliency today but still have a protection group around them, and we haven't found a way to eliminate them or get in and do it. Here is a way to do it, and it doesn't favor one side's program or the other's. It says: We are going to have this in a bipartisan commission, and we are going to change the process so we can save the money. Then that money will be used for higher needs.

This is an effective way for us to move forward. I urge my colleagues, when we get a chance to vote on my amendment, to look at this and say: That is something which I want to endorse, something I want to support, because it is going to allow us to more effectively spend the Federal money. One of the things people tell me that drives them the most crazy about Federal spending is wasteful Federal spending. Here is a way. We redesign the system to get at it. I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I rise to share with the Senate my concerns and frustrations with S. Con. Res. 21, the fiscal year 2008 budget resolution, and to discuss two amendments I will offer tomorrow to try to improve the resolution.

Frankly, the resolution before this body ignores the dire state of our financial future and uses smoke and mirrors to mask our long-term fiscal challenges. I have come to the Senate floor numerous times over the past 8 years to express my concern that the Federal Government continues to spend more money than it brings in and that this Congress is running a credit card for today's needs and shamelessly leaving the bill for future generations. We all know this recklessness threatens our economic stability, our competitiveness in the global marketplace, and our future way of life.

Since I arrived in the Senate, the national debt has increased from \$5.6 trillion to \$8.6 trillion. That is an increase of more than 50 percent in 8 years. This amounts to \$29,000 of debt for every American. Can my colleagues believe that? What is of even more concern, however, is that 55 percent of the privately owned national debt is held by foreign creditors, including the Chinese Government. That is up from 35 percent only 6 years ago. Yet these numbers, which represent our past behavior, pale in comparison with the budget problems looming in our future as the baby boom generation begins to retire over 9 months from now.

Forty years ago, Social Security, Medicare, and Medicaid accounted for 3 percent of our GDP. Today, they are up to 9 percent. In another 40 years, they will be up to 18 percent, equal to total Federal revenues and crowding out all other spending. In other words, all of the money the Federal Government

spends currently will be used up for Medicare, Medicaid and Social Security. There won't be any money for anything else.

Looking forward, we face a long-term fiscal imbalance of \$55 trillion. That is hard to even grasp, but it translates into \$440,000 of future Government debt for every American household, up from a mere \$175,000 only 6 years ago. This is all documented. If we listen to David Walker, who is the Comptroller General, he is going all over the country—he was in my State in Cincinnati for a fiscal wake-up—working with the Concord Coalition to let Americans know. He is like the Paul Revere out there telling Americans we better be concerned about this. I remember Ross Perot, who ran for the President of the United States, and all of his charts. His charts looked like nothing compared to the charts we would use to show how bad things are.

Imposing a crushing debt burden such as this on future generations at the same time they are going to have to compete with rising powers such as China and India is unacceptable. All of us have a responsibility to try to guarantee that they enjoy the same standard of living and quality of life we have enjoyed, if not better. This young page here in front of me—I am worried about him. What kind of a life is he going to have? What kind of an opportunity is he going to have in terms of his standard of living and quality of life? We are concerned about him. What kind of a legacy are we going to leave him? What about my seven grandchildren? What kind of a world are they going to live in? That is why the chairman of the Budget Committee and I have spoken over the past few years about the growing debt and the impact it will have on future generations.

Yet we are here today with the majority's budget resolution that increases the national debt by \$2.4 trillion over the next 5 years. That is assuming Congress doesn't take advantage of all of the loopholes that are in the budget. We are back at square one. Neither Republicans nor Democrats have offered a budget that even comes close to reestablishing our fiscal sanity. The administration's budget is unrealistic, and the Democratic budget is even worse.

I am going to vote against the Democratic budget. If this were the Republican budget, I would vote against that budget, too. Both of them. Once again, we have pulled the wool over our own eyes. That is what is going on.

Some of my colleagues, especially my new colleagues, may wonder why I take such offense at the budget. Unfortunately I am a product of my experiences. The Bible says the Lord never gives you a challenge you cannot overcome. Well, he has tested me before, and he is testing all of us right now.

As mayor of Cleveland, I inherited the first city in the country to go bankrupt since the Great Depression. We made cuts, we raised taxes, and we

righted the ship. When I took the helm as Governor of Ohio, I inherited a \$1.5 billion budget shortfall that can only be described as a financial crisis. During the first biennial budget, we had to make four rounds of cuts. These were dire economic times which required honesty, leadership, and management. I was forced to make a lot of hard choices. We had to reform our tax policy, scale back spending, and target our resources to the people who needed them the most. We worked harder and smarter, and we succeeded at doing more with less. In fact, my years as Governor represent the lowest rate of growth in State spending in 30 years.

Here in Washington, it seems as if no one is willing to make the tough choices. I cannot understand it. Too many Members won't do anything if it doesn't bolster their side politically or fit into a 10-second sound bite. Instead, both parties are using gimmicks to cover up the state of our Nation's long-term fiscal health.

Let me offer some examples. The administration released its fiscal 2008 budget request in early February and projected a deficit of \$239 billion. This number is the deficit left over after spending every dollar of Social Security surplus. But the Social Security surplus must be reserved for future retirees. As far as I know, you can't spend the money twice, but Congress keeps pretending that it can. If you remove the Social Security surplus from the equation, that \$239 billion deficit they are talking about almost doubles to \$451 billion. If you use the accrual way of figuring it, it is about \$640 billion.

The administration goes further to achieve its surplus by assuming non-security discretionary spending will peak in 2007 and go down every year after that. So we are reducing our deficit by eating our seed corn. That is a real problem today.

What we have to understand is that only one-sixth of the budget is non-defense discretionary. All of the hits are being made against that one-sixth to try to balance the budget. We are ignoring so many things this country ought to be doing.

Furthermore, the administration calculates the security-related discretionary spending will peak in 2008, and that supplemental spending for military operations will end after 2009. Give me a break. We are going to end that in 2009? We are going to be over in Iraq and Afghanistan for a long period of time. But the President just increased the number of troops going to Iraq by more than 21,000. These estimates are not based on reality. Why don't we tell the American people the truth? Let's tell them the truth.

Meanwhile, my colleagues on the other side of the aisle are using tricks that even are more egregious. The majority's budget allows for a dramatic increase in entitlement spending through the use of more than 20 reserve funds. They are not included in the

overall budget totals. They simply conceal what they intend to spend and it gives the appearance of a more responsible budget.

The majority's budget hides increases in discretionary spending through the use of seven cap adjustments. Appropriations for seven favored programs and agencies will not count toward the budget limit. Just like that, poof, and they are gone.

Furthermore, the majority's budget allows for unlimited emergency spending. I think we all understand that on occasion we have natural disasters or unanticipated crises, such as Hurricane Katrina, that require emergency resources. For this reason, we cannot estimate all of our emergency spending in the budget. But a great deal of the spending that is currently designated as "emergency" is actually quite regular and predictable.

For example, every year we spend emergency funds on drought relief. This is difficult for me to understand: If we spend it every year, why can't we account for it in our budget? This is why we ought to have a rainy day fund such as I had when I was Governor that set aside designated funds for legitimate natural disasters so the "emergency" label is not abused for otherwise anticipated events.

My friend from New Hampshire, Senator GREGG, created a rainy day fund with a fixed dollar limit in last year's budget resolution, and I thought: That is a great idea. But the new majority has already eliminated that fund from the budget and has created an open-ended source of emergency spending that is not subject to any financial limitations.

There is one trick after another in this budget resolution. We are already raiding the Social Security trust fund and a bunch of smaller trust funds to make our bottom line look rosier than it is. This budget exacerbates a problem the Budget Committee chairman himself and I have spoken out against for a great many years.

I have a great deal of respect for the Democratic chairman of the Budget Committee. I think he is one of the most responsible guys, but he has also got to do his thing in terms of the politics of this Senate. In fact, in the last Congress, the Budget Committee chairman and I introduced legislation that would invest the Social Security surplus in non-Federal bonds to prevent the surplus from being used to fund other Government spending. We plan to reintroduce this bill again.

In other words, what we are saying is we are going to take the money that is now being used to fund the budget and instead of borrowing it from trust funds—Social Security—we are going to take the Social Security funds and put them in a non-U.S. account—municipal bonds—so they will accrue interest; and when the time comes that we will need to use that money, there will be something there besides an IOU from the Federal Government that says: We are going to take care of it.

The bill would require the Government issue more Treasuries to the public in order to pay for other spending instead of borrowing from Social Security. What we basically are going to say to the American public is: We are borrowing all these funds from Social Security, all the other trust funds, and we are going to put that aside, and we are going to borrow that money from the public so you know how much borrowing is going on. We are not going to mask this thing, as we have done for so many years.

We thought, finally our children and grandchildren will have a clear picture of how fiscally irresponsible we are. But today the Budget Committee chairman is relying on the very same gimmick—borrowing from the Social Security trust fund—to claim a balance in 2012.

What about taxes? The majority's budget claims that \$400 billion in revenue will be collected from "closing the 'tax gap'"—in other words, collecting more of the taxes that are currently owed but not paid. Yet the President's proposal to collect just 2 percent of this \$400 billion caused small businesses to howl in protest that the new administrative and compliance burdens would overwhelm them.

In other words, it is easy to talk about closing the tax gap, but from a political point of view, it is not going to be very easy. We should do that. There is no question about it. I talked to Charles Rossotti, who was the former head of the Internal Revenue Service. He said with more filings and more people in the Internal Revenue Service, we should be able to pick up another \$50 billion. That is a realistic way of looking at it. But just to say: \$400 billion; we are going to come up with it somehow; close the tax gap, and it is all going to be there—voila.

In fact, the Greater Cleveland Partnership and the Council of Smaller Enterprises, which represent small business in northeast Ohio, describe the administration's tax gap proposals—by the way, this is not a Democratic proposal; this is the administration's tax gap proposals—as "an unreasonable tracking and reporting burden for small business." And that is just for 2 percent of the revenue the majority claims it can raise by going after small businesses. We should try to collect money that is owed, but if it were that easy—as my friend from Iowa Senator GRASSLEY suggests—we would have found the money to fix the AMT years ago.

But, sadly, these gimmicks are not the worst part of the budget. What is more disturbing about this resolution is what is not included. The majority did not designate one dime in Social Security, Medicare, or Medicaid savings to help slow the impending entitlement tidal wave heading our way—not one dime. Entitlement spending threatens to flood our budget and soak up every Federal dollar, as I mentioned



earlier, leaving no revenue for education, the environment, infrastructure, or scientific research. The majority's budget ignores this problem.

In fact, this budget does worse than ignore the problem. It will pile billions of dollars in new entitlement spending on top of the existing problem. It is so obvious that this budget resolution simply satisfies a political agenda. It is a public relations campaign that the majority is using to avoid telling the American people the truth. I am accusing them of that, and I have to say the same thing for my side of the aisle. We are both guilty. All of our hands are dirty.

To add to insult, since Republicans switched to 5-year budgets a few years ago, Democrats have repeatedly called for 10-year budgets because 5-year budgets hide our long-term problems. In other words, the other side of the aisle kept complaining: You are using 5-year budgets because if you use 10, the American people are going to find out how much money you are spending. So we went to the 5-year budget. We want to hide that figure about the next 5 years. If the Democrats wanted to do it this time, I would have said: Do the 10-year budget. Let the American people know what the truth is about how much money this budget is going to cost.

For example, the CBO currently projects that total outlays for Medicare and Medicaid will more than double—more than double—by 2017, increasing by 124 percent. This is roughly two times as much as the economy is expected to grow during the same period. A 5-year forecast hides this explosion in entitlement liabilities. Tell the truth—transparency. Let the American people know what the score is.

Yet, here we are, with Democrats in control of both Chambers, and they are trying to pass a 5-year budget that continues to cover up the gathering fiscal storm looming on our horizon. Shame on us. Shame on them. They are playing the game we played starting in 2004, after promising to do better.

I take our Nation's fiscal health very seriously. I am concerned there is a lack of transparency in this budget. There are gaping loopholes the majority can exploit to cause spending and deficits to rise much higher than the budget resolution claims. In an attempt to close some of these loopholes, tomorrow I am going to offer two amendments.

First, we need to reform our Nation's entitlement programs. I have been begging on my knees trying to get the White House to take on the responsibility of reforming our Tax Code—we need it; it is overdue—to take on entitlements, to reach out to Republicans and Democrats and say: The time has come. Let's put everything on the table. Let's reform our Tax Code. Let's do something about entitlements. The fact is, silence—silence. I have to tell you, if we do not do this, then our children and grandchildren are going to

drown—they are going to drown—in a sea of debt.

I am concerned, however, that if we reform entitlements and save billions of dollars, Congress might grab those savings and spend some of them on other programs instead of paying down the debt. So what I am saying is, I am hoping—and I know the chairman of the Budget Committee, the Senator from North Dakota, has said he wants entitlement spending reform—I am hoping we get it. All this amendment says is: If we do get entitlement spending reform, it is going to be used to pay down the debt and not fund other entitlements.

I previously introduced legislation called the SAFE Commission Act that would guarantee a fast-track, comprehensive approach to reforming our Nation's tax, entitlement, and budget systems. If the 110th Congress enacts entitlement reform, either by way of legislation or as a result of another bipartisan effort, we must use those savings to reduce the deficit and, as I say, pay down the debt and not on entitlement spending.

Specifically, my first amendment would require any savings from legislation that slows the growth of entitlement spending by \$5 billion or more be dedicated to deficit reduction. Some of my colleagues are asking: George, why are you worrying about this? Well, I hope we have this problem where we have to decide what to do with these entitlement savings we have enacted. Because, as I said earlier, the majority has not included even one dime's worth of savings in this budget resolution. We do nothing—not one thing—in this budget about entitlement spending.

Second, every time we enact new entitlement spending or tax cuts, which are financed through additional borrowing, we increase the level of interest payments the Government has to make on its debt. I have talked about this debt and the interest costs. These new interest costs represent additional Government spending. Yet, CBO cost estimates ignore the effect of these interest payments on spending and the national debt.

In other words, we are spending money on reducing taxes—and we are paying for it by borrowing—or we are spending money on new programs—and we are borrowing the money—because we keep ratcheting up the debt and we do not calculate the interest costs that are involved in either tax reductions or the spending for these new programs.

These ballooning interest costs add up to \$370 billion in 2008. Think about this: That interest cost will be 13 percent of the budget. The public needs to know that in addition to spending additional money on new programs, we are paying interest on that money. I am concerned about these growing interest costs because they are part of our mounting national debt.

Frankly, our interest rates are low right now, but they could skyrocket. The first couple years I was mayor of

Cleveland, interest rates at the time were 13 percent. Some Americans remember savings passbooks that were paying 14 and 16 percent. I will never forget it because I had the money for my children's college education in mutual funds. I sold the mutual funds and put them in the passbook savings because we were getting—can you imagine—we were getting 16 percent—16 percent—on a passbook investment.

I think we need to wake up to the fact that if we get a change in the international marketplace—as I mentioned earlier, 55 percent of our budget is with foreign investors—if those central banks get a little bit nervous about the United States of America—and I have talked to Alan Greenspan about this; we could see interest rates skyrocket to 12 percent, 13 percent—that would suck up an enormous amount of money.

So the fact is, we ought to pay attention to letting people know when we either reduce taxes, and borrow the money, or we spend money above the budget, somebody has to pay some interest on that cost. We must stop this charade once and for all. Both sides of the aisle have a clear, moral obligation to improve the fiscal health of our Nation. It starts with formulating a fair and honest budget. Yet we are being dishonest and masking the long-term challenges that confront our Nation.

We must deal with these problems head on and work on a bipartisan basis to reform our tax system, control the growth of entitlement spending, and slow this freight train that is threatening to crush our children and grandchildren's futures.

Experts say the most important step you can take is to first admit you have a problem. I will never forget when I was mayor of Cleveland and came in, the easiest thing sometimes in life was just to keep the problems in a drawer and not look at them and hope they would go away. I found a long time ago that if you take those problems and pull them out and deal with them, you are so much better off than if you just let them lay around and get worse.

The question today is, Do we have the moral courage to fix it? Do we have the moral courage? Can we do that? It is a moral issue.

I will never forget Frank Wolf. I gave a speech last year and Frank called me and he said: I am going to put a bill in, and we are going to set up a commission that is going to do something about tax reform and entitlement.

He said: I have—I think he said 11 or 12 grandchildren. He said: I thought about it. I am a fiscal conservative. He said: But you know something. We have a moral obligation to our children. We just can't let this thing keep going. The fact is, do we have that moral conviction to fix it or are we too darn interested in protecting our political hides—our political hides—to do anything? Do we have the courage to do it? Do we have the courage?

I am 70 years old. I have seven grandchildren. I care and worry about them.

My concern is what legacy am I going to leave my children and my grandchildren. I was fortunate. We were fortunate. We had others before us who were responsible—others, for example, who were willing to pay for the wars that we were in. Today, in this country, let's see, it is up to \$510 billion for Iraq and Afghanistan, and if we pass the supplemental, it is going to be \$610 billion. The only sacrifice that is being made today in this country is by the families that have the body bags returned to them. Twenty-six thousand of our men and women who have been injured, half of them disabled for the rest of their life, and we are not doing anything. We are not doing anything.

Last year, I said if we can't get tax reform to raise the money that we need to take care of things, then we ought to have a temporary tax increase to pay for our war. We should. It is the right thing to do. But, no, we will let it go and let somebody else worry about it the next time around—the new President.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I would note as I begin how much I appreciate Senator VOINOVICH and his passion for America in trying to introduce responsibility in spending and taxes. We don't always agree on everything, but he is a man of principle and dedication to his country.

Mr. President, the amendment I will be asking my colleagues to consider tomorrow deals with a growing problem that we have in America. It has to be confronted completely before long. It is the alternative minimum tax. This is a tax that after you figure what you owe on your income tax return and you have taken all your deductions, you have to calculate your taxes again and you may have to file under the alternative minimum tax and pay more taxes. That was an idea conjured up before I came to the Senate to capture rich people who weren't paying enough taxes. Maybe it had some resonance to it, but it has fallen very hard now on the middle class, and it is very dramatic.

We in this Congress have become addicted to the money the alternative minimum tax brings in. We have decided, though, that we can't allow millions of middle-class people to be burdened with a new and higher tax, so we have tried to fix it. We did what was called the AMT patch—a patch. It wasn't a complete fix, it was a Band-Aid, and it would do a lot. Actually, it has done considerable. Without a patch next year, about 23 million people will be subjected to the tax, but with the patch, 17 million of those will not. They will be dropped out of AMT. Seventeen million people will be saved from that.

I just want to say, first of all, the real solution, as everyone knows, is tax simplification. We need to do that, but we have no real momentum at this mo-

ment in the Congress in either House or in either party or by the President. Those of us not on the Finance Committee sometimes wonder why we don't have more proposals for tax simplification, but we don't. It is going to happen sometime, sooner rather than later.

So the patch helps. It raises the AMT exemption level, the amount of money, the floor to which you get caught with, and that has helped some. But the real truth that I must share with my colleagues is that the result has not been fair. It is not a principled way to deal with the people being caught by the alternative minimum tax.

In 2006, for example, 7.4 percent of married people with children paid higher taxes under the AMT, while 1 percent of singles paid the AMT. Think of that. This tax, the way it is calculated and the way it is put together, it has fallen incredibly hard, over seven times as hard, on married people with children as it does on single taxpayers. Why is that so? Well, when you calculate your alternative minimum tax, you can't use your personal exemptions. You can't use that personal exemption of \$3,400, and you can't claim your children as exemptions.

So I would first say one of the most valuable things this country has are the parents out there, some single moms, working their hearts out every day to raise and educate the next generation of young people who are going to lead this country.

So the alternative minimum tax I have believed for some time has penalized people with children. We have had a marriage penalty and now we see with the AMT, we are actually taxing children, making it even more expensive for young families to have children.

So I think my amendment does the right thing. It achieves a very similar result as the patch but is more principled, more cued to what is in the national interests, and more fair.

First, it treats children and personal exemptions correctly. You still get your personal exemption under the AMT and exemptions for your dependents in your household. Under this plan as I have offered it, 87 percent as many people will not have to file an AMT return as would under the patch—almost the same, 13 percent less, but very close to the same number. But astoundingly and importantly, it costs a lot less. It would save in terms of tax revenue lost \$82 billion over 5 years. It would be a lot less expensive in terms of tax cost.

This \$82 billion could help us contain the deficit. It could help us fund the expiring tax cuts that have allowed us to have a low-tax economy that has led to such terrific growth in our economy, would provide some of the money we could use for that, and it would be good for the economy in a way that I am afraid this unprincipled approach to patching the AMT does not. There would be less focus on high income, high tax States. I come from a lower

tax State, a poorer State, a poorer State with a lower average income than the average in the United States. We are doing a lot better, and I am proud of that, but we still are below the national average in a number of different ways. Our State would not benefit much at all under the patch.

Let me show my colleagues this chart. This is a rather astounding chart. These are the percentage of taxpayers who paid the AMT by State in 2005. In my home State of Alabama, it was 0.8, eight-tenths of 1 percent. Less than 1 percent paid any AMT. But in New York, with a good bit higher average income, 6 percent paid—6 percent of the people paid it. The numbers are high in other States. Mississippi is low at .9, and the Dakotas are .8 and .6. Indiana is 1.0; West Virginia, .9. The lower income States are not going to benefit as much under the kind of patch we are talking about. Most of the benefits of the patch will be transferred to only a few States for a lot of different reasons. One is because they have higher taxes which cannot be deducted under the AMT.

So I would say what we need to do is to do better. By having the exemptions allowable under the AMT calculation, we would benefit people more fairly around the country, although not a complete fairness. It is still going to be a tax that dramatically shifts benefits to higher income, higher tax States. There is no doubt about that. But this is at least a step in the right direction, and it helps real people. My excellent staff person, Dr. Andrew Barrett, talks about a professor he knows, Christopher Wolfe, who has 10 children. He is getting whacked by the AMT.

I think a person who is pouring his heart and soul into raising a large family and trying to do the right thing by them should not lose their tax exemptions and have to pay a higher tax than somebody who didn't have that.

I hope we can have a good vote on this tomorrow. I think it is the right thing. As we go forward, we are going to have to talk about this more. The more I study it, the more convinced I am that this is not a good way to handle tax policy in America, this AMT.

I ask unanimous consent that Senator ORRIN HATCH be listed as a cosponsor on that legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I will sum up. I am a member of the Budget Committee. One of the things you see as you watch these budgets go through here and we discuss them and debate them and it sounds like a lot of politics and hot air and partisanship. But the real truth is that a budget is a defining instrument for a party. A budget tells what your priorities are, what direction you want to take the country in. I am not sure we have ever had a budget since I have been here—well, maybe a few in the beginning but certainly not in the last several years of my tenure—that was passed on anything other

than a party-line vote, at least in the Budget Committee.

Once again, the budget that came out of this Budget Committee, now that we have a Democratic majority, passed with all Democratic votes and no Republican votes. Last year, the budget that passed out was passed by all Republican votes and opposed by all Democrats. But they were in the minority at that time. I used to think, well, why can't we just get together and work these things out. Perhaps we can at some point. Perhaps we will have a break in this cycle. But right now, it seems that the budget defines us and our differences. What is it we agree on? What is it we disagree on? Where do we want to take the country? And where does somebody else not want to go?

Let me mention a few things about this budget. It is a spending budget. The President proposed a rather substantial increase in discretionary spending; but our Democratic colleagues passed a budget that adds \$18 billion more in nondefense discretionary spending than the President asked for. It brought it up to a total increase in nondefense discretionary spending of over 6 percent—I think it is 6.1-percent growth in spending.

Well, what is the cost of living? What is the CPI, the inflation rate? It is about 2.3 percent. So this budget increase, in a time of war, in a time when entitlements are raging out of control, is not a frugal budget; it is a spending budget. You should not be spending almost three times the inflation rate if you want to have any kind of responsibility in spending. We don't have to spend three times the rate of inflation to keep the country from collapsing. The country is not going to collapse if we had a flat budget or if we cut 3, 4, 5 percent, if you want to know the truth. The Republic will still be standing.

But, no, we have to fund these programs, these ideas, and these visions that utilize money and runs up the total. So they have shoved through a budget that increases it substantially. Last year, we passed, on a party-line vote, a proposal that would have contained, by about 1 or 2 percent over 5 years, the growth in entitlement spending. Senator JUDD GREGG worked this in. He believed in it passionately. He believed we could now, early on, before we reach a fiscal disaster in the future, control some of these spending programs. He had a modest cut in the growth—growth only—of Medicare. I think it was like 45 percent growth to 46 percent growth. How about that? Do you think we can sustain that? It got to the floor and all of the Democrats opposed it and several Republicans opposed it, and it failed. We could not even contain the growth by 1 percent.

So all last year, in this last election, my Democratic friends, were out railing at President Bush for spending wildly. They claimed that Republicans were irresponsible on spending, and

here they go coming back with this budget. Did it have any effort or did it display any movement whatsoever to contain the growth of entitlement spending? Zero. It didn't attempt to confront that issue. I think that is a mistake. We have had a lot of complaints that we have to do something, but when it came down to the time to produce a budget, over the objection of Senator GREGG and others, they had no interest in that.

Well, what about taxes? We didn't have any savings on the spending side. We had an increase on spending. What about taxes? They say this is not a raising-taxes budget, that it doesn't raise taxes, don't worry about that. We have not voted to raise taxes. Let me tell you what they did do. They created a system and a mechanism—or at least the majority did when they passed this budget—that is going to put us in a position where we are going to raise taxes, and I am going to explain it to you as simply as I possibly can. The budget adds four points of order. A point of order calls for a supermajority vote to carry out some act. They said you cannot have tax cuts unless several things occur, and the only way you can have those tax cuts, if those things don't occur, is override a budget point of order, and that takes 60 votes, not 50. So what about the existing tax cuts—the capital gains reductions, the marriage penalty elimination, the dividends reduction? What about reducing the tax rate for the lowest income workers who pay Federal taxes by 33 percent, from 15 to 10 percent?

Well, they came up with a proposal that says you cannot even extend those tax cuts that have been in place for a number of years and begin to expire in the next couple of years. Those cannot be extended without being able to overcome the budget points of order. To do so, the most logical thing is to cut spending. So if you cut spending enough to pay for a tax reduction, a tax reduction that is already in place—and some have been in place for over 5 years—if you don't cut spending sufficient to “pay for the lost revenue,” according to these estimates, then you cannot undo it without 60 votes.

When we passed those tax reductions, it was virtually party line, although several Democrats, including Ben Nelson, voted with us, but one time it was a tie vote. Another time it was one or two votes. These were razor thin, the low fifties. By putting in a 60-vote point of order, it is not going to be possible to extend the existing tax cuts, the reduction of the rates, capital gains. They estimated, for example, that capital gains reductions would cost the Treasury \$5 billion. As it turned out, capital gains, after being reduced, have resulted in increases to the Treasury of \$133 billion. If you sell a piece of property and you have to pay 20 percent on the profit, you might not do it. If you are thinking about selling stock and you say, wait a minute, it has grown in value and you are going

to have to pay a 20 percent tax on that, you may say I will just hold it. At 15 percent, people say, OK, I will pay that.

We have had an interesting time of more sales of property and assets subject to capital gains, and we increased revenue after the tax rate was reduced. I wish to say to you that this budget has put us in a position that I don't see how it is possible that we can extend even the existing tax reduction. Those tax reductions have spurred this economy. They were enacted during a time when we had difficulties. It is important to note that when President Bush took office, the Nasdaq, the high-tech stock market, had fallen 50 percent. The first quarter he took office was negative growth. In fact, the last month of President Clinton's term was negative growth. President Bush inherited an economy in serious trouble. Then 9/11 hit and we were in a recession. It could have been a long one, but it turned out not to be. It bounced back quickly, and a big reason is he reduced taxes; the economy grew and picked up the slack and began to grow.

Two years ago, the revenue coming into the U.S. Treasury increased 15 percent over the previous year. Last year, the revenue coming in—this is money actually in the Federal till—went up 12 percent over the 15 percent. This year, they are predicting that revenue to the Federal Treasury will be up almost 10 percent over last year's 12 percent. That is fabulous growth. What should we do? We ought to contain Federal spending. We ought to keep those tax cuts in place, not to make somebody rich, not just to let them keep more money—money that they earned—but because it is good for our economy, because we are a free market economy, and we are a group of people who believe in individual responsibility—not like the Europeans, who are semi-Socialist, if not Socialist, who deeply believe in higher taxes, more regulation, bigger government, and more social welfare.

That is not our heritage. We have a heritage of free, responsible, individual Americans, whose goal and ideal is to take care of ourselves, but we will help those who need it when they need it.

I wish to say this budget defines a lot of who we are. I think it defines a different vision for what is best for America. It has been that way for most of the time I have been in the Senate, and it looks like we are at it again this year.

I feel strongly we ought not to go and slide and move toward the big government, high taxes, and social welfare system of the Europeans. They say: Well, it has not made the taxes go up; we have a budget and the Finance Committee can fix this and they can do whatever they want to do. They have a lot of freedom.

But with the points of order in the budget, I submit to you that we have a problem. I submit to you this Democratic budget that came out of the

committee is similar to this torpedo on this chart.

Democrats can say they have not raised taxes yet, but they have launched that torpedo right at this thriving, vibrant American economy. The torpedo is named “tax increases” and they are on the way. That is a fact. I don’t see anything that is going to intercept that torpedo because the vote tomorrow will put us on a road we cannot get out of. It is going to put us in a situation where the votes will not exist to cut taxes, and we are going to allow even existing tax reductions to phase out, and taxes will jump, and it will amount to the largest tax increase in American history, from what the experts tell us.

It is late. This is an important point and an important time for our country. When we pass a budget, it doesn’t do a whole lot. A budget basically has a couple of things it does. It sets the total level of spending. That level has been raised over what the President has asked for. It creates a mechanism that could allow us to extend tax cuts for less than 60 votes, or do other revenue changes for less than 60 votes. But the budget we are passing is going to put us into a situation where we will increase spending and we will be put on a road to increase taxes.

I think that is a wrong direction for our Nation, and I doth protest.

Mr. President, I yield the floor.

#### ADJOURNMENT UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9 a.m. tomorrow.

Thereupon, the Senate, at 9:42 p.m., adjourned until Friday, March 23, 2007, at 9 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 22, 2007:

##### DEPARTMENT OF STATE

JOHN C. ROOD, OF ARIZONA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY, VICE ROBERT JOSEPH, RESIGNED.

##### DEPARTMENT OF JUSTICE

MICHAEL J. SULLIVAN, OF MASSACHUSETTS, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (NEW POSITION)

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. MARTIN E. DEMPSEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIGADIER GENERAL MARI K. EDER, 0000  
BRIGADIER GENERAL WILLIAM H. GERETY, 0000  
BRIGADIER GENERAL PAUL F. HAMM, 0000  
BRIGADIER GENERAL GEORGE R. HARRIS, 0000  
BRIGADIER GENERAL STEVEN J. HASHEM, 0000  
BRIGADIER GENERAL ADOLPH MCQUEEN, JR., 0000  
BRIGADIER GENERAL MAYNARD J. SANDERS, 0000  
BRIGADIER GENERAL GREGORY A. SCHUMACHER, 0000  
BRIGADIER GENERAL MICHAEL J. SCHWEIGER, 0000  
BRIGADIER GENERAL RICHARD J. SHERLOCK, JR., 0000  
BRIGADIER GENERAL DEAN G. SIENKO, 0000

##### To be brigadier general

COLONEL MARCIA M. ANDERSON, 0000  
COLONEL DOUGLAS P. ANSON, 0000  
COLONEL WILLIAM G. BEARD, 0000  
COLONEL WILLIAM M. BUCKLER, 0000  
COLONEL ALFRED B. CARLTON, 0000  
COLONEL ROBERT G. CATALANOTTI, 0000  
COLONEL MICHELE G. COMPTON, 0000  
COLONEL JOHN C. HANLEY, 0000  
COLONEL KATHERINE P. KASUN, 0000  
COLONEL ROBERT W. KENYON, 0000  
COLONEL KAREN E. LEDOUX, 0000  
COLONEL PETER S. LENNON, 0000  
COLONEL CHARLES D. MARTIN, 0000  
COLONEL GARY A. MEDVIGY, 0000  
COLONEL SAMUEL T. NICHOLS, JR., 0000  
COLONEL JAMES D. OWENS, JR., 0000  
COLONEL JEFFREY E. PHILLIPS, 0000  
COLONEL LESLIE A. PURSER, 0000  
COLONEL DAVID W. PUSTER, 0000  
COLONEL DANIEL I. SCHULTZ, 0000  
COLONEL MICHAEL R. SMITH, 0000  
COLONEL JEFFREY W. TALLEY, 0000  
COLONEL MEGAN P. TATU, 0000  
COLONEL NICKOLAS P. TOOLIATOS, 0000  
COLONEL JAMES T. WALTON, 0000

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. GEORGE J. TRAUTMAN III, 0000

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

REAR ADM. HAROLD D. STARLING II, 0000

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

##### To be lieutenant commander

KIRSTEN R. MARTIN, 0000  
PATRICK A. ROPP, 0000  
RICHARD V. TIMME, 0000

##### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

EDWARD W. BIRGELLS, OF TEXAS  
CARLEENE HOPE DEI, OF FLORIDA  
MICHAEL TILESTON FRITZ, OF WYOMING  
WILLIAM A. JEFFERS, OF FLORIDA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

STEPHEN F. CALLAHAN, OF VIRGINIA  
ROBERT FRANCIS CUNNANE, OF FLORIDA  
ALEXANDER DICKIE IV, OF TEXAS  
KARL FICKENSCHER, OF NORTH CAROLINA  
STEPHEN M. HAYKIN, OF WASHINGTON  
JANINA JARUZELSKI, OF NEW JERSEY  
ELISABETH A. KVITASHVILI, OF VIRGINIA  
DAVID E. MCCLOUD, OF FLORIDA  
KEVIN J. MULLALLY, OF TEXAS  
GARY WILLIAM NEWTON, OF FLORIDA  
HERMANIA B. PANGAN, OF VIRGINIA  
SUSAN G. REICHEL, OF VIRGINIA  
DENISE A. ROLLINS, OF MICHIGAN  
MARILYNN ANN SCHMIDT, OF VIRGINIA  
ELZADIA WASHINGTON-DANAUX, OF TENNESSEE  
JACK WINN, OF FLORIDA  
ANDREA J. YATES, OF FLORIDA

##### PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

##### To be assistant surgeon

SUNEE R. DANIELSON  
MARY E. EVANS

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

##### To be lieutenant colonel

MELISSA W. JONES, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

##### To be lieutenant colonel

BARBARA J. KING, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be colonel

JAMES F. BECK, 0000  
KEVIN S. MCKIERNAN, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

##### To be colonel

DANIEL L. HURST, 0000

##### To be lieutenant colonel

EMMANUEL R. BONNECARRERE, 0000  
LARRY D. CHRISTOPHER, 0000  
SAMUEL H. FISTEL, 0000  
JUAN M. LOPEZ, 0000

##### To be major

JOHN G. MARKLEY, 0000  
JACQUELYN OHERRIN, 0000  
ADAM H. SIMS, 0000  
GEORGE T. TALBOT, 0000

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

EDUARDO A. ABISELLAN, 0000  
CHRISTOPHER C. ABRAMS, 0000  
JOHN K. ADAMS, 0000  
TED A. ADAMS, 0000  
JOHN C. ALLEE, 0000  
CHRISTOPHER W. ALLEN, 0000  
JOSEPH T. ALLENA, JR., 0000  
GEOFFREY M. ANTHONY, 0000  
VINCENT D. APPLEWHITE, 0000  
JOHN ARMELLINO, JR., 0000  
STEPHEN P. ARMES, 0000  
MITCHELL K. ARNZEN, 0000  
JOHN B. ATKINSON, 0000  
STEPHEN C. AUGUSTIN, 0000  
TERRY L. BAGGETT, 0000  
PAUL D. BAKER, 0000  
RAYMOND G. BAKER, 0000  
SCOTT A. BALDWIN, 0000  
CRAIG P. BARNETT, 0000  
JOHN M. BARNETT, 0000  
TIMOTHY E. BARRICK, 0000  
MICHAEL E. BARRY, 0000  
STEPHEN R. BECK, JR., 0000  
PATRICK A. BECKETT, 0000  
MARC A. BEGIN, 0000  
DOUGLAS C. BEHEL, 0000  
THOMAS J. BEIRKACH, 0000  
MARLIN C. BENTON, JR., 0000  
DAVID BERNATOVICH, 0000  
WILLIAM C. BERRIS, 0000  
CHARLES N. BLACK, 0000  
CHAD A. BLAIR, 0000  
RUSSELL A. BLAUW, 0000  
BRET A. BOLDING, 0000  
RICHARD J. BORDONARO, 0000  
TODD V. BOTTOMS, 0000  
MATTHEW C. BOYKIN, 0000  
ROBERT J. BRACATZ, 0000  
ROBERT G. BRACKNELL, 0000  
DAVID P. BRADNEY, 0000  
RONALD C. BRANEY, 0000  
TERRY L. BRANSTETTER, JR., 0000  
IAN D. BRASURE, 0000  
ROLLIN D. BREWSTER III, 0000  
PETER J. BROWN, 0000  
ROBERT J. BRUDER, 0000  
JOHN H. BRUGGEMAN, JR., 0000  
TIMOTHY R. BRYANT, 0000  
VICTOR J. BUNCH, 0000  
KENNETH A. BURGER, 0000  
HEATHER M. BURGESS, 0000  
RUSSELL C. BURTON, 0000  
SHAWN P. CALLAHAN, 0000  
MICHAEL J. CALLANAN, 0000  
RONNIE T. CARSON, 0000  
MICHAEL A. CARSON, JR., 0000  
JENNIFER E. CARTER, 0000  
MELVIN G. CARTER, 0000  
TODD M. CARUSO, 0000  
MICHAEL S. CASEY, 0000  
WALTER D. CERKAN, 0000  
ERIK L. CHRISTENSEN, 0000  
IAN R. CLARK, 0000  
WILLIAM P. CLARK, 0000  
TIMOTHY L. CLARKE, 0000  
ERIN D. COADY, 0000  
JAIME O. COLLAZO, 0000  
STEPHEN G. CONROY, 0000  
SAMUEL C. COOK, 0000  
MATTHEW D. COOPER, 0000  
ROBERT D. COOPER, 0000  
EDITH W. CORDERY, 0000  
GUY R. COURSEY, 0000  
IAN D. COURTNEY, 0000  
KENNETH L. CRABTREE, 0000  
BRIAN E. CRANE, 0000

DARYL G. CRANE, 0000  
 MATTHEW A. CROCE, 0000  
 PAUL D. CUCINOTTA, 0000  
 DREW E. CUKOR, 0000  
 MATTHEW C. CULBERTSON, 0000  
 JENS A. CURTIS, 0000  
 EARL W. DANIELS, 0000  
 KEITH C. DARBY II, 0000  
 ROMIN DASMALCHI, 0000  
 RONALD K. DENNARD, 0000  
 PAUL T. DEUTSCH, 0000  
 ANDREW L. DIETZ, 0000  
 MARK D. DIETZ, 0000  
 JOHN E. DOBES, 0000  
 SCOTT P. DUNCAN, 0000  
 ANDREW L. EAST, 0000  
 KURT G. EBAUGH, 0000  
 BEN T. EDWARDS, JR., 0000  
 FRED H. EGERER II, 0000  
 ERIC J. ELDRED, 0000  
 THOMAS C. EULER III, 0000  
 ANTHONY C. FABIANO, 0000  
 THOMAS M. FAHY, JR., 0000  
 JAMES P. FALLON, 0000  
 CHRISTOPHER M. FEARS, 0000  
 WESLEY L. FEIGHT, 0000  
 TODD W. FERRY, 0000  
 TIMOTHY J. FETSCH, 0000  
 CHRISTOPHER A. FEYEDELEM, 0000  
 PHILIP A. FICKES, 0000  
 MICHAEL D. FOLGATE, 0000  
 VINCENT H. FONTENOT, JR., 0000  
 TIMOTHY J. FRANK, 0000  
 WESLEY A. FRASARD, JR., 0000  
 JAMES W. FREY, 0000  
 THOMAS C. FRIES, 0000  
 PHILLIP N. FRIETZE, 0000  
 BRYON J. FUGATE, 0000  
 ROBERT C. FULFORD, 0000  
 JAMES R. FULLWOOD, JR., 0000  
 PETER S. GADD, 0000  
 THOMAS J. GALVIN, 0000  
 JASON S. GERIN, 0000  
 ERIC A. GILLIS, 0000  
 DOUGLAS V. GLASGOW, 0000  
 MICHAEL F. GOGOLIN, 0000  
 JOHN C. GOLDEN IV, 0000  
 TIMOTHY C. GOLDEN, 0000  
 KEVIN M. GONZALEZ, 0000  
 DANIEL F. GOODWIN, 0000  
 DONALD A. GORDON, 0000  
 ROBERT GOVONI, 0000  
 BRUCE G. GRALER, 0000  
 DAVID P. GRANT, 0000  
 DANIEL Q. GREENWOOD, 0000  
 DAVID M. GRIESMER, 0000  
 STEPHEN M. GRIFFITHS, 0000  
 REGINALD L. HAIRSTON, 0000  
 MORRIS D. HALE, 0000  
 NICHOLAS S. HALE, 0000  
 EARL L. HALQUIST, 0000  
 JAMES F. HARP, 0000  
 CLARENCE T. HARPER III, 0000  
 SCOTT W. HARRIS, 0000  
 BARON A. HARRISON, 0000  
 PETER W. HART, 0000  
 JEFFREY H. HAUSER, 0000  
 BRIAN W. HAYLAND, 0000  
 DOUGLAS A. HAWKINS, 0000  
 CHAD T. HEDLESTON, 0000  
 HENRY G. HESS, 0000  
 JAMES A. HESSEN, 0000  
 MICHAEL O. HIXSON, 0000  
 TIMOTHY H. HOGAN, 0000  
 MICHAEL T. HOLMES, 0000  
 RENEE A. HOLMES, 0000  
 JEFFREY C. HOLT, 0000  
 MARK D. HOROWITZ, 0000  
 JAMES E. HOWARD, 0000  
 MICHAEL P. HUBBARD, 0000  
 LAWRENCE E. HUGGINS, JR., 0000  
 BRIAN G. HUCHES, 0000  
 PETER D. HUNTLEY, 0000  
 JAMES J. HURD, 0000  
 THOMAS J. IMPELLITTERI, 0000  
 JAN M. JANUARY, 0000  
 JEFFREY L. JAROSZ, 0000  
 MICHAEL J. JERNIGAN, 0000  
 DAVID E. JONES, 0000  
 SEKOU S. KAREGA, 0000  
 DANIEL R. KAZMIER, 0000  
 PATRICK J. KEANE III, 0000  
 ANTHONY P. KENNICK, 0000  
 CRAIG M. KILHENNY, 0000  
 JEFFREY A. KNUDSON, 0000  
 ROBERT A. KUROWSKI, 0000  
 SCOTT S. LACY, 0000  
 WILLIAM F. LAPRATT, 0000  
 TERRENCE H. LATORRE, 0000  
 FRANK N. LATT, 0000  
 RHETT B. LAWING, 0000  
 RAYMOND H. LEGALL, 0000  
 RODNEY LEGOWSKI, 0000  
 WENDELL B. LEIMBACH, JR., 0000  
 SCOTT D. LEONARD, 0000  
 MICHAEL D. LEPPSON, 0000  
 JOSEPH P. LEVREULT, 0000  
 PATRICK A. LINDAUER, 0000  
 DANIEL R. LINGMAN, 0000  
 DANIEL C. LOGAN, 0000  
 JOSEPH A. LORE, 0000  
 DAVID W. LUCAS, 0000  
 JOSEPH A. LUCIA III, 0000  
 ROBERT E. LUCIUS, JR., 0000  
 STEVEN G. LUHRSEN, 0000  
 ERIC M. LYON, 0000  
 JOHN E. MADESS, 0000

LORNA M. MAHLOCK, 0000  
 GEORGE G. MALKASIAN, 0000  
 DENNIS A. MANACO, 0000  
 KENDALL A. MARTINEZ, 0000  
 WILLIAM J. MATTES, JR., 0000  
 SEAN P. MATTINGLY, 0000  
 THOMAS G. MCCANN II, 0000  
 WILLIAM P. MCCLANE, 0000  
 MATTHEW J. MCCORMACK, 0000  
 DONALD B. MCDANIEL, 0000  
 MATTHEW J. MCDIVITT, 0000  
 JOHN E. MCDONOUGH, 0000  
 PATRICK M. MCGEE, 0000  
 SHAWN W. MCKEE, 0000  
 SEAN C. MCPHERSON, 0000  
 WILLIAM J. MCWATERS, 0000  
 ROGER C. MEADE, 0000  
 HALSTEAD MEADOWS III, 0000  
 MICHAEL W. MELSLO, 0000  
 ANDREW O. METCALF, 0000  
 ELTON E. METZGER, 0000  
 KURT E. MOGENSEN, 0000  
 PAUL R. MOGG, 0000  
 JOSEPH F. MONROE, 0000  
 MICHAEL J. MOONEY, 0000  
 JUAN J. MORENO, 0000  
 DAVID B. MORGAN, 0000  
 DARIN S. MORRIS, 0000  
 JASON L. MORRIS, 0000  
 ALBERT G. MOSELEY IV, 0000  
 MICHAEL L. MULLER, 0000  
 LANCE D. MUNIZ, 0000  
 JOHN J. MURPHY III, 0000  
 MAUREEN B. MURPHY, 0000  
 JOSEPH C. MURRAY, 0000  
 ROBERT J. NASH, 0000  
 JAMES D. NEAL, JR., 0000  
 NATHAN G. NEBLETT, 0000  
 SHANE D. NICKLAUS, 0000  
 BERNARD J. NOWNES II, 0000  
 PAUL J. NUGENT, 0000  
 DAVID M. O'CONNELL, 0000  
 JAMES E. OHARRA, 0000  
 KENNETH A. OLDHAM, 0000  
 MICHAEL S. OSHAUGHNESSY, 0000  
 DAVID S. OWEN, 0000  
 PATRICK R. OWENS, 0000  
 LOUIS J. PALAZZO, 0000  
 DANIEL L. PARIS, 0000  
 DAVID J. PARK, 0000  
 PAUL T. PATRICK, 0000  
 CHRISTOPHER D. PATTON, 0000  
 JOHN S. PAYNE II, 0000  
 THOMAS A. PECINA, 0000  
 TODD E. PERRY, 0000  
 CHRISTOPHER L. PHELPS, 0000  
 MICHAEL A. PHILLIPS, 0000  
 SCOTT W. PIERCE, 0000  
 STEPHEN S. PIERSON, 0000  
 DOBERT J. PLEVELL, 0000  
 DAVE S. PORTILLO, 0000  
 DOUGLAS M. POWELL, 0000  
 THOMAS E. PRENTICE, 0000  
 DONALD J. PRESTO, 0000  
 CHARLES P. PRESTON IV, 0000  
 JOHN A. PRYCE, 0000  
 MATTHEW PUGLISI, 0000  
 ERIC A. PUTMAN, 0000  
 DEAN L. PUTNAM, 0000  
 JAMES E. QUINN, 0000  
 JOSEPH N. RAFTERY, 0000  
 MATTHEW R. RAJKOVICH, 0000  
 MATTHEW G. RAU, 0000  
 MICHAEL T. REECE, 0000  
 MARVIN REID, 0000  
 BRENDAN REILLY, 0000  
 DAVID S. RENTZ, 0000  
 DAVID E. RICHARDSON, 0000  
 MICHAEL R. RIES, 0000  
 SEAN M. RIORDAN, 0000  
 KEITH T. RIVINIUS, 0000  
 CRAIG D. ROGERSON, 0000  
 MICHAEL P. ROHLFS, JR., 0000  
 CHARLES D. ROSE, JR., 0000  
 PAUL A. ROSENBLUM, 0000  
 DEE S. ROSSET, 0000  
 GEORGE B. ROWELL IV, 0000  
 JOSEPH J. RUSSO, 0000  
 MICHAEL V. SAMAROV, 0000  
 ANDREW J. SAUER, 0000  
 BRETON L. SAUNDERS, 0000  
 THOMAS B. SAVAGE, 0000  
 MICHAEL E. SAYEGH, 0000  
 JOHN M. SCHAAR, 0000  
 FREDERICK G. SCHENK, 0000  
 JASON C. SCHUETTE, 0000  
 ROBERT K. SCHWARZ, 0000  
 JONATHAN B. SCRABECK, 0000  
 JOSEPH W. SEARS, 0000  
 DAVID J. SEBCK, 0000  
 MICHAEL B. SEGER, 0000  
 DANIEL D. SEIBEL, 0000  
 BRIAN F. SEIFFERT, 0000  
 GLENN R. SEIFFERT, 0000  
 MARK W. SHELLABARGER, 0000  
 DANIEL L. SHIPLEY, 0000  
 TY A. SIMMONS, 0000  
 DAVID W. SMITH, 0000  
 MARK D. SMITH, 0000  
 JEFFREY C. SMITHERMAN, 0000  
 WALTER C. SOFF, JR., 0000  
 JOHN H. SORENSON, 0000  
 DAVID B. SOSA, 0000  
 SHAWN C. SPANG, 0000  
 DIANA L. STANESZEWSKI, 0000  
 MICHAEL J. STEELE, 0000  
 RICHARD G. STEELE, 0000

NOEL C. STEVENS, 0000  
 KEVIN J. STEWART, 0000  
 STEPHEN R. STEWART, 0000  
 BENJAMIN P. STINSON, 0000  
 JAMES B. STONE IV, 0000  
 SHAWN R. STRANDBERG, 0000  
 DANIEL R. SULLIVAN, 0000  
 WILLIAM H. SWAN, 0000  
 SHAWN M. SWIER, 0000  
 MICHAEL J. TARGOS III, 0000  
 ANDREW J. TATE, 0000  
 CHRISTOPHER A. TAVUCHIS, 0000  
 EDWARD R. TAYLOR, 0000  
 BRADFORD J. TENNEY, 0000  
 DONALD J. THIEME II, 0000  
 IVAN G. THOMAS, 0000  
 MARK C. THOMPSON, 0000  
 TODD S. TOMKO, 0000  
 SCOTT M. TOUNEY, 0000  
 CASEY C. TRAVERS, 0000  
 LEONARD E. TROXEL, 0000  
 LARRY E. TURNER, JR., 0000  
 HENRY E. VANDERBORGH, 0000  
 DAVID N. VANDIVORT, 0000  
 JOHN A. VANMESSEL, 0000  
 WILLIAM H. VIVIAN, 0000  
 GLENN C. VOGEL, 0000  
 JOSEPH F. WADE, 0000  
 DAVID C. WALSH, 0000  
 CHRISTOPHER B. WALTERS, 0000  
 ROBERT Q. WARD, 0000  
 STEVEN C. WARE, 0000  
 MICHAEL R. WATERMAN, 0000  
 MCLENDON N. WATERS III, 0000  
 PAUL R. WEAVER, 0000  
 JAMES B. WELLONS, 0000  
 EDWARD J. WHITE, 0000  
 KARL E. WILLIAMS, 0000  
 MARCUS W. WILLIAMS, 0000  
 WILLIAM D. WISCHMEYER, JR., 0000  
 THOMAS J. WITCZAK, 0000  
 EUGENE P. WITTKOFF, 0000  
 STEVEN M. WOLF, 0000  
 BRIAN N. WOLFORD, 0000  
 CRAIG R. WONSON, 0000  
 KEVIN S. WOODARD, 0000  
 CALVERT L. WORTH, JR., 0000  
 DANIEL L. YAROSLASKI, 0000  
 TYLER J. ZAGURSKI, 0000  
 JOSEPH J. ZARBA, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

AARON D. ABDULLAH, 0000  
 ERIK R. ABRAHAMSON, 0000  
 MARTIN L. ABREU, 0000  
 JESSICA L. ACOSTA, 0000  
 DAVID M. ADAMIEC, 0000  
 JOHN J. AHN, 0000  
 LOUIS M. ALBIERO, JR., 0000  
 BRIAN S. ALBON, 0000  
 GREGORY J. ALLAN, 0000  
 BRIAN J. AMEND, 0000  
 BRADLEY W. ANDERSON, 0000  
 JOSHUA P. ANDERSON, 0000  
 TIMOTHY E. ANDERSON, 0000  
 AARON A. ANGELL, 0000  
 JOSEPH D. ARICO, 0000  
 ADRIAN D. ARMOLD, 0000  
 MICHAEL F. ARNONE, 0000  
 JUAN I. ARRAITA, 0000  
 ERIC M. ASCHENBRENNER, 0000  
 RICHARD B. ASHFORD, 0000  
 SCOTT K. ATWOOD, 0000  
 BRAD E. AUGHINBAUGH, 0000  
 TYSON M. AVERY, 0000  
 BLAS AVILA, JR., 0000  
 SHERIF A. AZIZ, 0000  
 JOHN T. BADAMI, 0000  
 EDWARD BAHRET, 0000  
 CHARLES T. BAILEY, 0000  
 GREGORY T. BAKER, 0000  
 SAMUEL BAKION, 0000  
 MATTHEW A. BALDWIN, 0000  
 GREGORY R. BAMFORD, 0000  
 JOHN J. BANCROFT, JR., 0000  
 ROZANNE BANICKI, 0000  
 CARLOS M. BARELA, 0000  
 JEFFREY V. BARNETT, 0000  
 ERIK J. BATTELIT, 0000  
 DAX C. BATTAGLIA, 0000  
 BARTHOLOME BATTISTA, 0000  
 PAUL J. BATTY, 0000  
 THEODORE W. BATZEL, JR., 0000  
 GINGER E. BEALS, 0000  
 JOSEPH T. BEALS, 0000  
 BRADLEY P. BEAN, 0000  
 JAMES M. BECHTEL, 0000  
 HASSEN C. BECKFORD, 0000  
 ERIC M. BECKMANN, 0000  
 THOMAS M. BEDELL, 0000  
 NATALIE L. BEEDE, 0000  
 ERIN S. BENJAMIN, 0000  
 DAVID M. BERNARD, 0000  
 FREDRICK L. BERNIER, 0000  
 PIERRE R. BERTRAND, 0000  
 EDWARD Y. BLAKISTON, 0000  
 JERRY W. BLOOMQUIST, 0000  
 DAVID A. BOGLE, 0000  
 JOHN A. BONDS, 0000  
 JONATHAN A. BOSSIE, 0000  
 STEPHEN C. BOUCHER, 0000  
 CHRISTOPHER J. BOWER, 0000  
 ELIKA S. BOWMER, 0000

KEVIN J. BOYCE, 0000  
 JONATHAN L. BRADLEY, 0000  
 TIMOTHY S. BRADY, JR., 0000  
 ANDREW J. BRASOSKY, 0000  
 KEVIN H. BRIGHT, 0000  
 CHRISTIAN J. BROADSTON, 0000  
 KAREN B. BROCKMEIER, 0000  
 JEFFREY T. BROOKS, 0000  
 MICHAEL L. BROOKS, 0000  
 JOSEPH D. BROOME, 0000  
 JERRY BROWN, JR., 0000  
 JONATHAN F. BROWN, 0000  
 MAURICE A. BROWN, 0000  
 DESMOND F. BROWNE, JR., 0000  
 CHRISTOPHER A. BROWNING, 0000  
 AARON J. BRUNK, 0000  
 JOHN P. BRUZZA, 0000  
 ALVIN L. BRYANT, JR., 0000  
 SAMUEL G. BRYCE, 0000  
 CHRISTIAN J. BUCHANAN, 0000  
 ARMANDO C. BUDOMO, JR., 0000  
 ROBERT M. BUENO, 0000  
 BENEDICT G. BUERKE, 0000  
 ASHLEY K. BURCH, 0000  
 GREGORY S. BURGESS, 0000  
 DOUGLAS R. BURKE, JR., 0000  
 JOSEPH P. BURKE, 0000  
 RUSSELL A. BURKE, 0000  
 DOUGLAS W. BURKMAN, 0000  
 DAMON K. BURROWS, 0000  
 GREGORY K. BUTCHER, 0000  
 BRADLEY J. BUTLER, 0000  
 TAMARA L. CAMPBELL, 0000  
 TROY H. CAMPBELL, 0000  
 CHRISTOPHER K. CANNON, 0000  
 CHRISTOPHER P. CANNON, 0000  
 PETER J. CAPUZZI, 0000  
 CONLON D. CARABINE, 0000  
 FOSTER T. CARLILE, 0000  
 BRADFORD R. CARR, 0000  
 JOHN C. CATANZARITO, 0000  
 ROBERT E. CATO II, 0000  
 ANTONIO CERVANTES, JR., 0000  
 JOSHUA B. CHARTIER, 0000  
 SIU K. CHENG, 0000  
 JOHN R. CHERRY, 0000  
 DARRELL L. CHOI, 0000  
 ANDREW CHRISTIAN, 0000  
 DAVIS R. CHRISTY, 0000  
 WILLIAM H. CHRONISTER, 0000  
 LEE K. CLARE, 0000  
 EARL R. CLARK, 0000  
 JOSHUA D. CLAYTON, 0000  
 BRYAN S. CLIFTON, 0000  
 LLONIE A. COBB, 0000  
 BRIAN W. COLE, 0000  
 CHRISTOPHER J. COLLINS, 0000  
 JAMES B. COLLINS, 0000  
 LEAH L. CONLEY, 0000  
 RYAN M. CONNOLLY, 0000  
 JAMES A. COOPER, 0000  
 LEE K. COOPER, 0000  
 ROBERT L. CORL, 0000  
 EDUARDO CORREA, 0000  
 FRED G. COURTNEY III, 0000  
 MARK E. COVER, 0000  
 BARRY A. CRAFT, JR., 0000  
 MICHAEL L. CRAIGHEAD, 0000  
 RYAN E. CRAIS, 0000  
 BRENT A. CREWS, 0000  
 MICHAEL J. CRITCHLEY, 0000  
 ROBERTO CUEVAS, 0000  
 CLINTON A. CULP, 0000  
 GREGORY R. CURTIS, 0000  
 IAN C. DAGLEY, 0000  
 TERRY L. DALTON, JR., 0000  
 CHAD W. DARNELL, 0000  
 KEVIN O. DAVIS, 0000  
 MARK S. DAVIS, 0000  
 ROBERT B. DAVIS, 0000  
 TIMOTHY A. DAVIS, 0000  
 MANUEL J. DELAUNSA, 0000  
 JOSE M. DELEON, JR., 0000  
 ANDREW M. DELGAUDIO, 0000  
 JOSEPH T. DELLOS, 0000  
 CHARLES W. DELPIZZO III, 0000  
 GREGORY P. DEMARCO, 0000  
 BRIAN P. DENNIS, 0000  
 SAMUEL N. DEPUTY, 0000  
 KEVIN B. DEWITT, 0000  
 PATRICIA M. DIENHART, 0000  
 JEFFREY S. DINSMORE, 0000  
 DEREK J. DIORIO, 0000  
 BRIAN A. DIXON, 0000  
 GILBERT F. DMEZA, 0000  
 JOHN F. DOBRYDNEY, 0000  
 WILLIAM DOCTOR, JR., 0000  
 KEVIN M. DOHERTY, 0000  
 HENRY DOLBERRY, JR., 0000  
 CHRISTOPHER P. DONNELLY, 0000  
 LINA M. DOWNING, 0000  
 TERESA J. DRAG, 0000  
 JONATHAN A. DREXLER, 0000  
 STEPHEN D. DRISKILL, 0000  
 JAMES L. DRURY, 0000  
 CHARLES E. DUDIK, 0000  
 JOSEPH R. DUMONT, 0000  
 JASON K. DUNCAN, 0000  
 DOUGLAS R. DUNLAP, 0000  
 JOHN P. DYALL, JR., 0000  
 JEFFREY L. DYAL, 0000  
 JULIE R. EASTLAND, 0000  
 JOHN L. ELCOCK, 0000  
 CHRISTOPHER P. ELHARDT, 0000  
 JOHN M. ENNIS, 0000  
 MICHAEL R. ERICKSON, 0000  
 RYAN J. ERISMAN, 0000

BRYCE D. ESSARY, 0000  
 MICHAEL N. ESTES, 0000  
 DAVID D. FAIRLEIGH, 0000  
 BRIAN L. FANCHER, 0000  
 JENNIFER M. FARINA, 0000  
 ROBERT B. FARRELL, 0000  
 KRISTOPHER L. FAUGHT, 0000  
 RORY M. FEELY, 0000  
 MATTHEW D. FEHMEI, 0000  
 DANIEL C. FELICIANO, 0000  
 WILLIAM B. FENWICK, 0000  
 JOSE R. FIERRO, 0000  
 FRANK E. FILLER, 0000  
 DALE E. FINCKE, JR., 0000  
 RYAN M. FINN, 0000  
 STEPHEN V. FISCUS, 0000  
 CHARLES N. FITZPATRICK III, 0000  
 MICHAEL C. FLEMMING, 0000  
 BRYAN J. FORNEY, 0000  
 TERRENCE E. FOX, 0000  
 CHRISTIAN V. FRANCO, 0000  
 MARK E. FRANKO, 0000  
 JOHN M. FRASER, 0000  
 AARON T. FRAZIER, 0000  
 SHAWN T. FREEMAN, 0000  
 ANTHONY D. FROST, 0000  
 EUGENE L. FUNDERBURK, 0000  
 DAVID A. FUNKHOUSER, 0000  
 REBECCA D. FURMAN, 0000  
 JASON A. GADDY, 0000  
 GERARDO D. GAJE, JR., 0000  
 JOSEPH E. GALVIN, 0000  
 JER J. GARCIA, 0000  
 RICHARD D. GARCIA, 0000  
 JOHN L. GARDNER, 0000  
 ROBERT B. GARRISON, 0000  
 JOHNNY G. GARZA, 0000  
 SCOTT A. GEHRIS, 0000  
 VINH V. GERALD, 0000  
 DONALD E. GERBER, 0000  
 LESTER R. GERBER, 0000  
 PATRICK T. GERMA, 0000  
 MICHAEL J. GERVASONI, 0000  
 WILLIAM J. GIBBONS, 0000  
 CARL D. GIDEON, 0000  
 TARRELL D. GIERSCHE, 0000  
 JOHN S. GILBERT, 0000  
 BRIAN J. GILBERTSON, 0000  
 STEVEN A. GILL, 0000  
 TODD M. GILLINGHAM, 0000  
 JIMMY R. GLOVER, JR., 0000  
 PATRICK M. GLYNN, 0000  
 MAXX GODSEY, 0000  
 MATTHEW J. GORRATY, 0000  
 JOHN T. GORDON, 0000  
 GREGORY F. GOULD, 0000  
 BRANDON W. GRAHAM, 0000  
 CHRISTOPHER M. GRASSO, 0000  
 KEVIN P. GRAYES, 0000  
 MICHAEL A. GRAZIANI, 0000  
 JOHN P. GREEN, JR., 0000  
 LEO S. GREGORY, 0000  
 BRIAN R. GRIFFING, 0000  
 JASON C. GROGAN, 0000  
 JASON D. BROSE, 0000  
 WILLIAM H. GRUBE, 0000  
 RUBEN D. GUTIERREZ, 0000  
 CHRISTOPHER D. HAFFER, 0000  
 DENNIS L. HAGER II, 0000  
 MICHAEL A. HALEY, 0000  
 JASON M. HAMILTON, 0000  
 CHAE J. HAN, 0000  
 RICHARD D. HANSEN, 0000  
 RYAN E. HANSEN, 0000  
 AMEDEO I. HANSON, 0000  
 DANE HANSON, 0000  
 GREGORY A. HANWICK, 0000  
 CHRISTIAN R. HARBOUR, 0000  
 ETHAN H. HARDING, 0000  
 TODD A. HARRDING, 0000  
 RYAN E. HARRINGTON, 0000  
 CLINT C. HARRIS, 0000  
 CASEY A. HARSH, 0000  
 DAVID J. HART, 0000  
 CRAIG L. HARVEY, 0000  
 GEORGE D. HASSELTINE, 0000  
 BRYAN C. HATFIELD, 0000  
 BRIAN R. HEDIN, 0000  
 TREVOR A. HEIDENREICH, 0000  
 DAVID L. HENDERSON, 0000  
 CHRISTINA M. HENNESSEY, 0000  
 RUDOLFO G. HERNANDEZ, 0000  
 ARTURO HERNANDEZLOPEZ, 0000  
 JOHN P. HERRON, 0000  
 PHILIP R. HERSCHELMAN, 0000  
 JASON W. HEUER, 0000  
 BRENT E. HEYL, 0000  
 TWAYNE R. HICKMAN, 0000  
 JIMMY S. HICKS, 0000  
 AARON P. HILL, 0000  
 LISA D. HILLJOHNSON, 0000  
 BRADLEY D. HITCHCOCK, 0000  
 CHAD E. HOARE, 0000  
 SEAN P. HOEWING, 0000  
 MAX H. HOPKINS, 0000  
 WILSON M. HOPKINS III, 0000  
 BRYAN T. HORVATH, 0000  
 ALEJANDRO R. HOUSE, 0000  
 MARK D. HOWARD, 0000  
 DAN E. HOWELL, 0000  
 WILLIAM HUBBARD, 0000  
 MICHAEL R. HUDSON, 0000  
 CHRISTOPH W. HUFF, 0000  
 SHAWN C. HUGHES, 0000  
 DAVID K. HUNT, 0000  
 JAMES B. HUNT, 0000  
 MICHAEL L. HUNTING, JR., 0000

HENRY E. HURT III, 0000  
 ANDREW J. HUSMAN, 0000  
 BRET M. HYLE, 0000  
 DAVID C. HYMAN, 0000  
 SEAN E. HYNES, 0000  
 JAIME A. IBARRA, 0000  
 TIMOTHY W. IRWIN, 0000  
 LOUIS E. ISABELLE, 0000  
 GEORGE B. JACOBS, 0000  
 JOHN J. JAKESKI, 0000  
 ROBERT E. JAMES, 0000  
 JASON M. JANCZAK, 0000  
 CHARLES D. JENNINGS, 0000  
 MIKE K. JERON, 0000  
 FERNANDO V. JIMENEZ, 0000  
 ANTHONY E. JOHNSON, 0000  
 GRANT M. JOHNSON, 0000  
 JASON JOHNSON, 0000  
 KIMBERLY A. JOHNSON, 0000  
 PAUL K. JOHNSON III, 0000  
 GREGORY L. JONES, 0000  
 KEMPER A. JONES, 0000  
 DAVID C. JOSEFORSKY, 0000  
 GREGORY K. JOSEPH, 0000  
 COLLEEN M. JUDD, 0000  
 MICHAEL C. KAHN, 0000  
 JAY J. KAJAS, 0000  
 DENNIS J. KASKOVICH, JR., 0000  
 RONALD W. KEARSE, 0000  
 ANDREW M. KELLEY, 0000  
 JASON L. KENDALL, 0000  
 HILARY A. KHAN, 0000  
 WAHEED U. KHAN, 0000  
 MARK A. KIEHLE, 0000  
 JOHN P. KIRBY, 0000  
 THOMAS F. KISCH, 0000  
 AARON R. KNEPEL, 0000  
 BRANDON S. KNOTTIS, 0000  
 JONATHAN D. KNOTTIS, 0000  
 JOHN D. KNUFTSON, 0000  
 NOAH J. KOMNICK, 0000  
 VINCE W. KOOPMANN, 0000  
 PAUL B. KOPACZ, 0000  
 SPEROS C. KOUMPARAKIS, 0000  
 BENJAMIN S. KRIPPENDORF, 0000  
 CHARLES B. KROLL, 0000  
 PHILIP C. LAING, 0000  
 PETER J. LANG II, 0000  
 LANCE J. LANGFELDT, 0000  
 ANDREW K. LARSEN, 0000  
 JEFFREY J. LARSON, 0000  
 GOTTFRIED H. LAUBE, JR., 0000  
 SCOTT A. LAUZON, 0000  
 TAL D. LE, 0000  
 ISAAC G. LEE, 0000  
 LAWRENCE C. LEE, 0000  
 SAMUEL K. LEE, 0000  
 ADAM V. LEFRINGHOUSE, 0000  
 LEONARD J. LEVINE, 0000  
 CARL A. LEWANDOWSKI, 0000  
 DOUGLAS A. LINDAMOOD, 0000  
 MARK R. LISTON, 0000  
 ROBERT J. LIVINGSTON, JR., 0000  
 BRENT A. LOOBY, 0000  
 IRMA LOPEZ, 0000  
 DAVID S. LOWERY, 0000  
 JAMES T. LOWERY, 0000  
 SARAH L. LUKES, 0000  
 JONATHAN R. LUNDY, 0000  
 CUONG Q. LUONG, 0000  
 ANDREW D. LYNCH, 0000  
 JOHN P. MAHER, 0000  
 ANTHONY M. MALDONADO, 0000  
 MICHAEL J. MANIFOR, 0000  
 KJELL D. MARCUSSEN, 0000  
 TRENT M. MARICZ, 0000  
 HOWARD G. MARKOTT II, 0000  
 WILLIAM J. MARKHAM III, 0000  
 JOHN E. MARSHALL, 0000  
 CORY J. MARTIN, 0000  
 DAVID E. MARTIN, 0000  
 JAMES M. MARTIN, 0000  
 RHONDA C. MARTINEZ, 0000  
 IRVIN MARTINEZ, 0000  
 JUSTIN E. MARVEL, 0000  
 STEPHEN W. MATTHEWS, 0000  
 RICARDO MATUS, 0000  
 RANDALL M. MAULDIN, 0000  
 ADAM W. MCARTHUR, 0000  
 JAMES K. MCBRIDE, 0000  
 ALEXIS L. MCCABE, 0000  
 JOHN S. MCCALMONT, 0000  
 MICHAEL M. MCCLOUD II, 0000  
 JEFFREY S. MCCORMACK, 0000  
 GARY A. MCCULLAR, 0000  
 FREDERICK J. MCELMAN, 0000  
 AMY M. MCGRATH, 0000  
 JAMES R. MCGRATH, 0000  
 GREGORY A. MCGUIRE, 0000  
 RODRICK H. MCHATY, 0000  
 BRYAN T. MCKERNAN, 0000  
 MICHAEL T. MCMAHAN, 0000  
 JEFFREY L. MEEKEE, 0000  
 ALVARO J. MELENDEZ, 0000  
 ELVINO M. MELENDEZ, JR., 0000  
 CHRISTOPHER M. MERRILL, 0000  
 SAMUEL L. MEYER, 0000  
 DERYL D. MICHAEL, 0000  
 BRIAN S. MIDDLETON, 0000  
 BRETT M. MILLER, 0000  
 JASON Z. MILLER, 0000  
 SHAWN D. MILLER, 0000  
 CONRAD MILNE, 0000  
 JAMES W. MINGUS, 0000  
 JASON B. MITCHELL, 0000  
 BRIAN M. MOLL, 0000



JOHN M. MOORE, 0000  
 ROY W. MOORE, 0000  
 BALTAZAR MORA, JR., 0000  
 ELLIOT MORA, 0000  
 DAVID M. MOREAU, 0000  
 ROGER O. MOUSEL, JR., 0000  
 JOHN P. MULKERN, 0000  
 JAMES D. MULLIN, 0000  
 BRIAN T. MULVIHILL, 0000  
 PETER J. MUNSON, 0000  
 SETH MUNSON, 0000  
 GEORGE S. MURPHY, 0000  
 GERALD E. MURPHY, 0000  
 CHRISTOPHER M. MURRAY, 0000  
 SEAN M. MURRAY, 0000  
 MICHAEL R. NAKONIECZNY, 0000  
 KATHRYN M. NAVIN, 0000  
 ANDREW R. NEEDLES, 0000  
 NICHOLAS O. NEIMER, 0000  
 ANDREW J. NELSON, 0000  
 MICHAEL C. NESBITT, 0000  
 JAMES D. NEUSHUL, 0000  
 DAVID E. NEVERS, 0000  
 HILARY NICESWANGER, 0000  
 LAWRENCE D. NICHOLS, 0000  
 CARLO A. NINO, 0000  
 JAMES M. NIXON, 0000  
 MARVIN L. NORCROSS, JR., 0000  
 EDWIN NORRIS, 0000  
 JOHN K. NORRIS, JR., 0000  
 RUSSELL H. NORRIS, 0000  
 CARL H. NORTHUTT, 0000  
 CHARLES M. NUNALLY III, 0000  
 NICHOLAS C. NUZZO, 0000  
 WILLIAM E. O'BRIEN, 0000  
 BRENDAN P. O'DONNELL, 0000  
 JEFFREY M. O'DONNELL, 0000  
 KEITH S. OKI, 0000  
 JEFFREY W. OLESKO, 0000  
 BERNARD J. O'LOUGHLIN, 0000  
 DEREK S. OST, 0000  
 ANDREW M. OTERO, 0000  
 JASON F. PACE, 0000  
 QUINTON S. PACKARD, 0000  
 MICHAEL C. PALMER, 0000  
 GEORGE N. PAPPAS, JR., 0000  
 VASILIOS E. PAPPAS, 0000  
 BURRELL D. PARMER, 0000  
 ADAM M. PASTOR, 0000  
 ANGELA D. PATERNA, 0000  
 MATTHEW W. PATMON, 0000  
 RICHARD B. PATTESON, 0000  
 EDWARD J. PAVELKA, 0000  
 MATTHEW R. PEARCE, 0000  
 JASON D. PEJSA, 0000  
 ERIC J. PENROD, 0000  
 JANAKA P. PERERA, 0000  
 NATHAN T. PERKKIO, 0000  
 JON C. PETERSEN, 0000  
 DAREN R. PETERSON, 0000  
 ROBERT C. PETERSON, 0000  
 MATHEW J. PFEFFER, 0000  
 TUANANH T. PHAM, 0000  
 KENNETH W. PHELPS III, 0000  
 TODD A. PILLO, 0000  
 ROBERT J. PLEAK, 0000  
 STEPHANIE M. POLESNAK, 0000  
 CASEY J. POLKINGHORNE, 0000  
 JAMES P. POPPY, 0000  
 BRENDAN W. POWELL, 0000  
 DONATO S. POWELL, 0000  
 MONTE S. POWELL, 0000  
 EDWARD W. POWERS, 0000  
 CARL C. PRIECHENFRIED, 0000  
 CHRISTOPHER D. PRITCHETT, 0000  
 ANDREW C. PRITZ, 0000  
 JAMES PRUDHOMME III, 0000  
 RYAN A. PYKE, 0000  
 CHRISTINE K. RABAJA, 0000  
 BERT RAKDHAM, 0000  
 GARRETT S. RAMPULLA, 0000  
 ROBERT P. RANDAZZO, 0000  
 JOHN G. RANDOLPH, 0000  
 CASMER J. RATKOWIAK III, 0000  
 GUY W. RAVEY, 0000  
 HUNTER R. RAWLINGS IV, 0000  
 WILLIAM G. RAYNE, 0000  
 JAMES D. REDDING, 0000  
 RONALD J. REGA, JR., 0000  
 MATTHEW L. REGNER, 0000  
 ERIC A. REID, 0000

CHRISTY L. REIDSMA, 0000  
 CHRISTOPHER T. REINHART, 0000  
 JAMISON M. RENAUX, 0000  
 ROSANNA B. REYES, 0000  
 JULIAN D. REYES-JONES, 0000  
 JACOB L. REYNOLDS, 0000  
 PATRICK J. REYNOLDS, JR., 0000  
 ROBERT M. RICH, 0000  
 JAMES E. RICHARDSON, JR., 0000  
 DUANE T. RIVERA, 0000  
 AMY C. RIVINIUS, 0000  
 CHRISTOPHER D. ROBERSON, 0000  
 TIMOTHY E. ROBERTSON, 0000  
 CLINTON L. ROBINS, 0000  
 EDWARD ROBINSON, 0000  
 NATHANIEL K. ROBINSON, 0000  
 REBECCA B. ROBISON-CHANDLER, 0000  
 SEAN M. ROCHE, 0000  
 MARCO A. RODRIGUEZ, 0000  
 CHARLES E. ROELL, JR., 0000  
 JACQUES A. ROGERS, 0000  
 GREGORY S. ROOKER, 0000  
 AARON M. ROSE, 0000  
 DAWN C. ROSENBLAD, 0000  
 THOMAS M. ROSS, 0000  
 MICHEAL D. RUSS, 0000  
 STEVEN A. SABLAN, 0000  
 MARK D. SADOWSKY, 0000  
 ANDRE P. SALVANERA, 0000  
 AARON C. SAMSEL, 0000  
 BRIAN K. SANCHEZ, 0000  
 ROLAND G. SARINO, 0000  
 JOHN S. SATTELY, 0000  
 TROY J. SCHILLINGER, 0000  
 JOEL F. SCHMIDT, 0000  
 KARL T. SCHMIDT, 0000  
 TIMOTHY W. SCHNELLE, 0000  
 WILLIAM J. SCHRANTZ, 0000  
 CHARLES F. SCHWARM, 0000  
 ANTONIO SCOFFIELD, 0000  
 DANIEL R. SCOTT, 0000  
 ROBERTO C. SCOTT, 0000  
 GEORGE J. SEEDEL, 0000  
 MARISA P. SERANO, 0000  
 AARON P. SHELLEY, 0000  
 TAMIKO A. SHIBATA, 0000  
 CHRISTOPHER J. SHIMP, 0000  
 JACK A. SILE, 0000  
 KEVIN D. SIMMONS, 0000  
 LOUIS P. SIMON, 0000  
 DANIEL J. SKUCE, 0000  
 DAVID B. SLAY, 0000  
 MARC R. SLEDGE, 0000  
 TIMOTHY M. SLINGER, 0000  
 GRAHAM P. SLOAN, 0000  
 STEPHEN K. SLOAN, 0000  
 CRAIG L. SMITH, 0000  
 JAMES W. SMITH, 0000  
 MICHAEL R. SMITH, 0000  
 SEAN P. SMITH, 0000  
 STEFAN R. SNEDEEN, 0000  
 ADAM T. SNOW, 0000  
 WILLIAM R. SNOWMAN, 0000  
 LISA M. SOUDERS, 0000  
 KIRK M. SPANGENBERG, 0000  
 DAVID W. SPANGLER, 0000  
 RAYMOND V. SPAULDING, 0000  
 SAMAR K. SPINELLI, 0000  
 BRYAN C. SPRANKLE, 0000  
 RANDY J. STAAB, 0000  
 JAMES F. STAFFORD, 0000  
 MATTHEW I. STARSIAK, 0000  
 ROBERT A. STEELE, 0000  
 MATTHEW R. STENCEL, 0000  
 DAVID R. STENGRIEM, 0000  
 MICHAEL C. STEVENS, 0000  
 KENRIC D. STEVENSON, 0000  
 JADE STEWARDCAMPBELL, 0000  
 JONATHAN M. STOFKA, 0000  
 KEVIN M. STOUT, 0000  
 LARS E. STRANDBERG, 0000  
 ERIC A. STRONG, 0000  
 BRYAN G. SWENSON, 0000  
 JUSTIN R. SWICK, 0000  
 JOSEPH C. TAMMINEN, 0000  
 AIMEE C. TANNER, 0000  
 BARRON S. TAYLOR, 0000  
 BRIAN R. TAYLOR, 0000  
 MICHAEL J. TAYLOR, 0000  
 THOMAS N. TAYLOR, 0000  
 JOSEPH D. TEASLEY, 0000

HAMARTRYA V. THARPE, 0000  
 DOUGLAS T. THOMAS, 0000  
 MARGARET E. THOMAS, 0000  
 ROGER N. THOMAS, 0000  
 ROBERT A. TOMLINSON, 0000  
 ADOLFO TORRES, 0000  
 RENE TORRES, 0000  
 JONATHAN E. TOWLE, 0000  
 MATTHEW W. TRACY, 0000  
 RENE TREVINO, 0000  
 JOY M. TRIPLETT, 0000  
 RANDALL G. TURNER, 0000  
 SHAWN S. TURNER, 0000  
 JOSHUA B. TUTTLE, 0000  
 HANORAH E. TYERWITEK, 0000  
 JOSEPH S. UCHYTIL, 0000  
 JOSHUA M. VANCE, 0000  
 CHAD I. VANSOMEREN, 0000  
 CHAD A. VAUGHN, 0000  
 QUENTIN R. VAUGHN, 0000  
 WILLIAM M. VESSEY, 0000  
 DUANE P. VILA, 0000  
 ROMAN P. VITKOVITSKY, 0000  
 JARED C. VONEDA, 0000  
 PHILIP E. WAGGONER, 0000  
 JASON A. WALKER, 0000  
 LEN E. WALKER, 0000  
 MATTHEW L. WALKER, 0000  
 MICHAEL T. WALLACE, 0000  
 WINSOME A. WALLS, 0000  
 MELVILLE J. WALTERS IV, 0000  
 MICHAEL P. WARD, 0000  
 LARRY R. WARFIELD II, 0000  
 GEOFFREY F. WARLOCK, 0000  
 JAYSEN N. WARNER, 0000  
 THOMAS M. WARREN, 0000  
 ALTON A. WARTHEN, 0000  
 DAREN V. WASHINGTON, 0000  
 ANDY S. WATSON, 0000  
 DEREK E. WATSON, 0000  
 LARRY J. WAYE, 0000  
 LISA M. WEBB, 0000  
 MICHAEL E. WEBB, 0000  
 PATRICK WEINERT, 0000  
 JAMES W. WEIRICK, 0000  
 VINCENT J. WELCH, 0000  
 TRAVIS B. WELLS, 0000  
 JASON L. WHALEN, 0000  
 EDDIE R. WHEELER, 0000  
 JODY E. WHITE, 0000  
 VAN E. WHITE, 0000  
 DANIEL M. WHITLEY, 0000  
 JOHNNY J. WIDENER, 0000  
 ANDRE L. WILLIAMS, 0000  
 JOHN H. WILLIAMS III, 0000  
 JAMES R. WILLIAMSON, 0000  
 DEANGELO M. WILLIS, 0000  
 ANDREW B. WILSON, 0000  
 TIMOTHY E. WILSON, 0000  
 BRIAN E. WOBENSMITH, 0000  
 BRENDAN M. WOLF, 0000  
 CRAIG A. WOLFENBARGER, 0000  
 WADE L. WORKMAN, 0000  
 LUKE R. YLITALO, 0000  
 JOHN E. YORIO, 0000  
 JEFFERSON T. YOUNG III, 0000  
 MATTHEW S. YOUNGBLOOD, 0000  
 SCOTT A. ZELESNIKAR, 0000  
 CARL M. ZIEGLER, 0000  
 KEVIN J. ZIMMERMAN, 0000  
 SCOTT W. ZIMMERMAN, 0000

## CONFIRMATION

Executive nomination confirmed by  
 the Senate Thursday, March 22, 2007:

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
 TO THE GRADE OF LIEUTENANT GENERAL IN THE  
 UNITED STATES ARMY WHILE ASSIGNED TO A POSITION  
 OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10,  
 U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. PETER W. CHIARELLI, 0000

# Daily Digest

## Senate

### Chamber Action

**Routine Proceedings, pages S3547–S3658**

**Measures Introduced:** Eighteen bills and five resolutions were introduced, as follows: S. 957–974, S. Res. 117–120, and S. Con. Res. 23. **Pages S3607–08**

#### Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2007”. (S. Rept. No. 110–36).

S. 965, making emergency supplemental appropriations for the fiscal year ending September 30, 2007. (S. Rept. No. 110–37). **Page S3607**

#### Measures Passed:

**Authorizing Testimony:** Senate agreed to S. Res. 119, to authorize testimony by a former detailee of the Committee on the Judiciary. **Page S3647**

**National Rehabilitation Counselors Day:** Senate agreed to S. Res. 120, designating March 22, 2007, as National Rehabilitation Counselors Appreciation Day. **Pages S3647–48**

#### Measures Considered:

**Budget Resolution:** Senate continued consideration of S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012, taking action on the following amendments proposed thereto: **Pages S3547–S3603, S3648–55**

##### Adopted:

Baucus/Rockefeller Modified Amendment No. 504, to affirm the Senate’s commitment to the reauthorization of the State Children’s Health Insurance Program. **Pages S3561–62**

Grassley Amendment No. 502, to ensure the appropriate use of funds provided for the Smithsonian Institution. **Page S3564**

Carper/Coburn Amendment No. 538, to reduce the deficit by recovering improper payments. **Page S3576**

Lincoln Amendment No. 542, to provide the Veterans Benefits Administration with additional resources and staff to more effectively meet their in-

creasing workload and to address the unacceptably large claims backlog that continues to cause undue hardships for veterans and their families across the country. **Pages S3572–74, S3576**

Bayh/Snowe Amendment No. 526, to make permanent the tuition tax deduction and is fully offset by closing a portion of the tax gap through enhanced information reporting requirements. **Pages S3582–83**

Hutchison Modified Amendment No. 517, to provide for extension of the deduction for State and local sales taxes in a deficit-neutral manner. **Pages S3583–84**

By 54 yeas to 42 nays (Vote No. 97), Conrad Amendment No. 598, to create a deficit-neutral reserve fund for extending certain energy tax incentives. **Pages S3586–87**

##### Rejected:

By 45 yeas to 52 nays (Vote No. 89), DeMint Amendment No. 489, to establish a reserve fund for Social Security reform. **Pages S3560–61**

By 33 yeas to 64 nays (Vote No. 90), Allard Amendment No. 491, to pay down the Federal debt and eliminate government waste by reducing spending on programs rated ineffective by the Program Assessment Rating Tool. **Page S3561**

By 38 yeas to 59 nays (Vote No. 91), Cornyn Amendment No. 511, to provide a deficit-neutral reserve fund for the reauthorization of the State Children’s Health Insurance Program (SCHIP) that will cover kids first. **Pages S3562–63**

By 23 yeas to 74 nays (Vote No. 92), Cornyn/Gregg Modified Amendment No. 525, to provide for reconciliation instructions of \$33.8 billion to make provider payments more accurate, to improve Medicare Part B income relation provisions, expand those provisions to Medicare Part D and reduce the deficit. **Pages S3548–51, S3557, S3563**

By 44 yeas to 52 nays (Vote No. 93), Gregg (for Ensign) Amendment No. 472, to require wealthy Medicare beneficiaries to pay a greater share of their Medicare Part D premiums. **Pages S3551–54, S3555–60, S3584**

By 38 yeas to 58 nays (Vote No. 94), Sanders/Mikulski Modified Amendment No. 545, to restore the top marginal tax rate to pre-2001 levels on taxable

income in excess of \$1 million and use the increased revenue to increase funding for the Individuals with Disabilities Act. **Pages S3564–66, S3583, S3584–85**

By 47 yeas to 49 nays (Vote No. 95), Enzi Amendment No. 497, to establish a 60-vote point of order for legislation that creates unfunded mandates on small business concerns.

**Pages S3566–69, S3585**

By 29 yeas to 67 nays (Vote No. 96), Thomas Amendment No. 498, to strike the reserve funds.

**Pages S3575–76, S3585–86**

By 42 yeas and 53 nays (Vote No. 98), Coleman Amendment No. 577, to provide budget levels to extend through 2012 the production tax credit for electricity produced from renewable resources, the Clean Renewable Energy Bonds, and energy tax provisions for energy efficient buildings and power plants.

**Pages S3569–70, S3587–88**

Withdrawn:

Grassley/Dorgan Amendment No. 464, to limit farm payments to \$250,000 per person per year and apply the savings to renewable energy/rural development, conservation, and nutrition. **Pages S3574–75**

Pending:

Kyl/Thune Amendment No. 583, to reform the death tax by setting the exemption at \$5 million per estate, indexed for inflation, and the top death tax rate at no more than 35% beginning in 2010, to avoid subjecting an estimated 119,200 families, family businesses, and family farms to the death tax each and every year, to promote continued economic growth and job creation, and to make the enhanced teacher deduction permanent.

**Pages S3570–72, S3577–82**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m. on Friday, March 23, 2007; that there be 30 minutes remaining for debate, equally divided and controlled between the Chairman and Ranking Member of the Budget Committee; that when the voting sequence begins, there be 2 minutes of debate, equally divided, prior to each vote in the sequence.

**Page S3647**

#### Measures Indefinitely Postponed:

*Gerald R. Ford, Jr. Post Office Building:* Senate indefinitely postponed S. 194, to designate the facility of the United States Postal Service located at 1300 North Frontage Road West in Vail, Colorado, as the “Gerald R. Ford, Jr. Post Office Building”.

**Page S3647**

*Gale W. McGee Post Office Building:* Senate indefinitely postponed S. 219, to designate the facility of the United States Postal Service located at 152 North 5th Street in Laramie, Wyoming, as the “Gale W. McGee Post Office”.

**Page S3647**

*Lane Evans Post Office Building:* Senate indefinitely postponed S. 412, to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the “Lane Evans Post Office Building”.

**Page S3647**

**Nomination Confirmed:** Senate confirmed the following nomination:

1 Army nomination in the rank of general.

**Pages S3647, S3658**

**Nominations Received:** Senate received the following nominations:

John C. Rood, of Arizona, to be Under Secretary of State for Arms Control and International Security.

Michael J. Sullivan, of Massachusetts, to be Director, Bureau of Alcohol, Tobacco, Firearms and Explosives.

38 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Coast Guard, Foreign Service, Marine Corps, Public Health Service.

**Pages S3655–58**

**Messages from the House:**

**Pages S3605–06**

**Measures Referred:**

**Page S3606**

**Executive Communications:**

**Pages S3606–07**

**Additional Cosponsors:**

**Pages S3608–09**

**Statements on Introduced Bills/Resolutions:**

**Pages S3609–31**

**Additional Statements:**

**Page S3605**

**Amendments Submitted:**

**Pages S3631–46**

**Authorities for Committees to Meet:**

**Pages S3646–47**

**Record Votes:** Ten record votes were taken today. (Total—98)

**Pages S3561, S3563, S3584, S3585, S3586, S3587, S3588**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 9:42 p.m., until 9 a.m. on Friday, March 23, 2007. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S3647.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: MILITARY CONSTRUCTION

*Committee on Appropriations:* Subcommittee on Military Construction and Veterans’ Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2008 for Air Force military construction, housing, and base realignment

and closure, after receiving testimony from Tina W. Jonas, Under Secretary (Comptroller), and Philip W. Grone, Deputy Under Secretary for Installations and Environment, both of the Department of Defense; William C. Anderson, Assistant Secretary of the Air Force for Installations, Environment and Logistics; Major General Charles V. Ickes, II, Deputy Director, Air National Guard; and Brigadier General Charles D. Ethredge, Deputy to the Chief of Air Force Reserve.

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported an original bill (S. 965) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

### BUDGET: DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Committee concluded a hearing to examine the United States Southern Command, Northern Command, and Joint Forces Command in review of the defense authorization request for fiscal year 2008 and the future years defense program, after receiving testimony from Admiral James G. Stavridis, USN, Commander, United States Southern Command, and Admiral Timothy J. Keating, USN, Commander, United States Northern Command/Commander, North American Aerospace Defense Command; and General Lance L. Smith, USAF, Commander, United States Joint Forces Command/North Atlantic Treaty Organization Supreme Allied Commander for Transformation.

### IRAQ

*Committee on Armed Services:* Committee met in closed session to receive a briefing to examine detention and judicial capacity in Iraq from Joseph Benkert, Principal Deputy Assistant Secretary for Global Security Affairs, Office of the Under Secretary for Policy, and Lieutenant General John F. Sattler, USMC, Director for Strategic Plans and Policy, J-5, The Joint Staff, both of the Department of Defense; and James McAtamney, Counsel to Deputy Attorney General for National Security Affairs, Department of Justice.

### MORTGAGE MARKET

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine causes and consequences relating to mortgage market turmoil, after receiving testimony from Sandra L. Thompson, Director, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation; Emory W. Rushton, Senior Deputy Comptroller, Chief National Bank Examiner, Office of the Comptroller of the Currency, and Scott M. Polakoff,

Deputy Director, Office of Thrift Supervision, both of the Department of the Treasury; Roger T. Cole, Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System; Joseph A. Smith, Jr., North Carolina Commissioner of Banks, Raleigh, on behalf of the Conference of State Bank Supervisors; Laurent Bossard, WMC Mortgage, Burbank, California; Sandor E. Samuels, Countrywide Financial Corporation, Calabasas, California; Brendan McDonagh, HSBC—North America, Prospect Heights, Illinois; Janis Bowdler, National Council of La Raza, Washington, D.C.; L. Andrew Pollock, First Franklin Financial Corporation, San Jose, California; Irv Ackelsberg, Langer and Grogan, P.C., and Jennie Haliburton, Philadelphia, Pennsylvania; and Al Ynigues, Apple Valley, Minnesota.

### FAA MODERNIZATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine the Federal Aviation Administration (FAA) modernization, focusing on developing and deploying the Next Generation Air Transportation System (NextGen) while providing operational and safety enhancements, after receiving testimony from Robert Sturgell, Deputy Administrator, and Charles Leader, Director, Joint Planning and Development Office, both of the Federal Aviation Administration; Susan Fleming, Acting Director, Physical Infrastructure Issues, Government Accountability Office; and Karen Lee, UPS Airlines, Louisville, Kentucky.

### THE FUTURE OF COAL REPORT

*Committee on Energy and Natural Resources:* Committee held a hearing to examine the “Future of Coal” report recently published by the Massachusetts Institute of Technology, receiving testimony from John M. Deutch and Ernest J. Moniz, both of the Massachusetts Institute of Technology, Cambridge; Bryan Hannegan, Electric Power Research Institute, Palo Alto, California; and Daniel A. Lashof, Natural Resources Defense Council, New York, New York.

Hearings recessed subject to the call.

### NATIVE AMERICAN HEALTH CARE AND CHILD WELFARE SERVICES

*Committee on Finance:* Committee concluded a hearing to examine “Keeping America’s Promise” relating to health care and child welfare services for Native Americans, after receiving testimony from Carl E. Venne, Crow Tribe of Indians, Crow Agency, Montana, on behalf of the Montana Wyoming Tribal Leaders Council and Council of Large Land Based Tribes; Valerie Davidson, Alaska Native Tribal Health Consortium, Anchorage; and Linda Holt,

Suquamish Tribal Council, on behalf of the Northwest Portland Area Indian Health Board, and Connie Bear King, National Indian Child Welfare, both of Portland, Oregon.

#### NOMINATION

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nomination of Ford M. Fraker, of Massachusetts, to be Ambassador to the Kingdom of Saudi Arabia, after the nominee testified and answered questions in his own behalf.

#### IRAQ AND AFGHANISTAN RECONSTRUCTION

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine deconstructing reconstruction, focusing on problems, challenges, and the way forward in Iraq and Afghanistan, after receiving testimony from Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; David M. Satterfield, Senior Advisor to the Secretary of State and Coordinator for Iraq; Major General Ronald L. Johnson, Deputy Chief of Engineers/Deputy Commanding General, United States Army Corps of Engineers; and Mark S. Ward, Senior Deputy Assistant Administrator for Asia and the Near East, United States Agency for International Development.

#### MERIT SYSTEMS PROTECTION BOARD/OFFICE OF SPECIAL COUNSEL

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to review the Merit Systems Protection Board and the Office of

the Special Counsel, focusing on the safeguarding of the merit systems principles in preparation for the consideration of the reauthorization of the two agencies, after receiving testimony from Neil McPhie, Chairman, U.S. Merit Systems Protection Board; and Scott J. Bloch, Special Counsel, U.S. Office of Special Counsel.

#### INDIAN COUNTRY HOUSING ISSUES

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine Indian housing, including loan guarantee and community development programs, after receiving testimony from Orlando J. Cabrera, Assistant Secretary of Housing and Urban Development for Public and Indian Housing; Jon Perez, Behavioral Health Consultant, Office of Clinical and Preventive Services, Indian Health Service, Department of Health and Human Services; John Yellow Bird Steele, Oglala Sioux Tribe, Pine Ridge, South Dakota; George Rivera, Pueblo of Pojoaque, Santa Fe, New Mexico; Paul Lumley, National American Indian Housing Council, Washington, D.C.; and Juel Burnette, Wells Fargo Native American Housing Initiatives, Sioux Falls, South Dakota.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee approved the issuance of subpoenas to Karl Rove, Harriet E. Miers, and William Kelley pursuant to the investigation into the replacement of U.S. Attorneys.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 24 public bills, H.R. 1638–1661; and 3 resolutions, H. Con. Res. 97–98; and H. Res. 262 were introduced.

Pages H2955–56

**Additional Cosponsors:**

Pages H2956–57

**Report Filed:** A report was filed today as follows:

H.R. 1401, to improve the security of railroads, public transportation, and over-the-road buses in the United States, with an amendment (H. Rept. 110–65, Pt. 1).

Page H2955

**Journal:** The House agreed to the Speaker's approval of the Journal by a recorded vote of 256 ayes to 160 noes, with 2 voting "present", Roll No. 184.

Pages H2823, H2874–75

**District of Columbia House Voting Rights Act of 2007:** H.R. 1433, amended, to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives. Further proceedings were postponed.

Pages H2838–60

Pursuant to the rule, the amendment printed in H. Rept. 110–63 shall be considered as adopted.

Page H2838

Representative Smith (TX) moved to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the same back to the House promptly with an amendment. Further proceedings on the motion were postponed.

**Pages H2860–63**

H. Res. 260, the rule providing for consideration of the bill, was agreed to by a recorded vote of 226 ayes to 195 noes, Roll No. 180, after agreeing to order the previous question by a yea-and-nay vote of 228 yeas to 198 nays, Roll No. 179. **Pages H2825–37**

**Making emergency supplemental appropriations for the fiscal year ending September 30, 2007:** The House began consideration of H.R. 1591, amended, making emergency supplemental appropriations for the fiscal year ending September 30, 2007. Consideration is expected to continue Friday, March 23rd. **Pages H2875–H2931**

Pursuant to the rule, the amendment printed in H. Rept. 110–64 shall be considered as adopted.

**Page H2875**

H. Res. 261, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 225 yeas to 201 nays, Roll No. 182, after agreeing to order the previous question. **Pages H2863–74**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, March 21st:

*Permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust:* H. Con. Res. 66, to permit the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, by a  $\frac{2}{3}$  yea-and-nay vote of 424 yeas with none voting “nay”, Roll No. 181.

**Pages H2837–38**

*Native American Methamphetamine Enforcement and Treatment Act of 2007:* H.R. 545, amended, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine, by a  $\frac{2}{3}$  yea-and-nay vote of 423 yeas with none voting “nay”, Roll No. 183. **Page H2874**

**Quorum Calls—Votes:** Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2836–37, H2837, H2837–38, H2873–74, H2874, and H2874–75. There were no quorum calls.

**Adjournment:** The House met at 10:00 a.m. and adjourned at 10:45 p.m.

## Committee Meetings

### AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Conditions and Trends in Rural Communities. Testimony was heard from Katherine Smith, Acting Administrator, Economic Research Service, USDA.

### COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing and on the DEA/Bureau of Alcohol, Tobacco and Firearms. Testimony was heard from the following officials of the Department of Justice: Karen Tandy, Administrator, DEA; and Michael J. Sullivan, Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives.

### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water Development and Related Agencies held a hearing on Department of Energy: Nuclear Nonproliferation. Testimony was heard from Will Tobey, Administrator, Defense Nuclear Nonproliferation, Department of Energy.

### FINANCIAL SERVICES AND GENERAL GOVERNMENT AND RELATED AGENCIES

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a hearing on SBA. Testimony was heard from Steven C. Presten, Administrator, SBA.

### INTERIOR, ENVIRONMENT AND RELATED AGENCIES

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing on Minerals Management Service/Office of Surface Mining. Testimony was heard from the following officials of the Department of the Interior: Johnnie Burton, Director, Minerals Management Service; and Brent T. Wahlquist, Acting Director, Office of Surface Mining.

### LEGISLATIVE BRANCH

*Committee on Appropriations:* Subcommittee on Legislative Branch held a hearing on Library of Congress and Open World: Budget. Testimony was heard from the following officials of the Library of Congress: James Billington, Librarian of Congress; Jo



Ann Jenkins, Chief Operating Officer, and a public witness.

## **TRANSPORTATION, AND HUD AND RELATED AGENCIES**

*Committee on Appropriations:* Subcommittee on Transportation, and Housing and Urban Development and Related Agencies held a hearing on the FAA. Testimony was heard from Marion Blakey, Administrator, FAA, Department of Transportation.

## **DOD AIRCRAFT PROGRAMS**

*Committee on Armed Services:* Subcommittee on Air and Land Forces and the Subcommittee on Seapower and Expeditionary Forces held a joint hearing on Department of Defense Aircraft Programs. Testimony was heard from the following officials of the Department of Defense: David G. Ahern, Director, Portfolio Systems Acquisition, Office of the Under Secretary, Acquisition, Technology and Logistics; James P. Woolsey, Assistant Director, Cost Analysis and Research Division, Institute for Defense Analyses; BG Stephen Mundt, USA, Director, Army Aviation, Headquarters, U.S. Army; William Balderson, Deputy Assistant Secretary, Naval Air Programs, Office of the Assistant Secretary of the Navy, Research, Development and Acquisition; RADM Bruce W. Clingan, USN, Director, Air Warfare Division, Headquarters, U.S. Navy; LTG John G. Castellaw, USMC, Deputy Commandant, Aviation, Headquarters, U.S. Marine Corps; LTG Carrol H. Chandler, USAF, Deputy Chief of Staff, Operations, Plans, and Requirements, Headquarters, U.S. Air Force; and LTG Donald J. Hoffman, USAF, Military Deputy, Office of the Assistant Secretary of the Air Force, Acquisition; and Michael J. Sullivan, Director, Acquisition and Sourcing Management, GAO.

## **BP—TEXAS CITY DISASTER AND WORKER SAFETY**

*Committee on Education and Labor:* Held a hearing on the BP—Texas City Disaster and Worker Safety. Testimony was heard from Carolyn W. Merritt, Chair, U.S. Chemical Safety and Hazard Investigation Board; and public witnesses.

## **COLLEGE PREPARATION**

*Committee on Education and Labor:* Subcommittee on Higher Education, Lifelong Learning, and Competitiveness held a hearing on The Higher Education Act: Approaches to College Preparation. Testimony was heard from public witnesses.

## **INTERNATIONAL SOLID WASTE IMPORTATION AND MANAGEMENT ACT OF 2007; GENETIC INFORMATION ACT OF 2007**

*Committee on Energy and Commerce:* Ordered reported H.R. 518, International Solid Waste Importation and Management Act of 2007.

The Committee began mark-up of H.R. 493, Genetic Information Nondiscrimination Act of 2007.

Will continue tomorrow.

## **SAFETY OF DRUG SUPPLY**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations continued hearings on The Adequacy of FDA Efforts To Assure the Safety of the Drug Supply, Part II. Testimony was heard from Andrew C. Von Eschenbach, M.D., Commissioner, FDA, Department of Health and Human Services; Marcia G. Crosse, Director, Public Health and Military Health Care Issues, GAO; and public witnesses.

## **OVERSIGHT—NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION**

*Committee on Energy and Commerce:* Subcommittee on Telecommunications and the Internet held a hearing entitled "Oversight of the National Telecommunications and Information Administration and Innovations in Interoperability." Testimony was heard from John M.R. Kneuer, Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce; and public witnesses.

## **OIL DEPENDENCE AND FOREIGN POLICY**

*Committee on Foreign Affairs:* Held a hearing on Foreign Policy and National Security Implications of Oil Dependence. Testimony was heard from public witnesses.

## **GUINEA—PROSPECTS FOR PEACE**

*Committee on Foreign Affairs:* Subcommittee on Africa and Global Health held a hearing on Prospects for Peace in Guinea. Testimony was heard from the following officials of the Department of State: Linda Thomas-Greenfield, Principal Deputy Assistant Secretary, Bureau of African Affairs; and Walter North, Senior Deputy Assistant Administrator, Africa Bureau, U.S. Agency for International Development; and public witnesses.

## **EUROPEAN OPINION OF U.S. POLICIES**

*Committee on Foreign Affairs:* Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on Europe held a joint hearing on Polling Data on European Opinion of

American Policies, Values and People. Testimony was heard from public witnesses.

#### OVER-CLASSIFICATION/INFORMATION SHARING

*Committee on Homeland Security:* Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled "Over-classification and Pseudo-classification: The Impact on Information Sharing." Testimony was heard from J. William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; Chief Cathy L. Lanier, Metropolitan Police Department; Michael P. Downing, Assistant Commanding Officer, Counter-Terrorism/Criminal Intelligence Bureau, Los Angeles Police Department.

#### JUSTICE DEPARTMENT CIVIL RIGHTS DIVISION

*Committee on the Judiciary:* Subcommittee on the Constitution, Civil Rights and Civil Liberties held a hearing on Changing Tides: Exploring the Current State of Civil Rights Enforcement within the Department of Justice and an oversight hearing on the Civil Rights Division of the Department of Justice. Testimony was heard from Wan J. Kim, Assistant Attorney General, Civil Rights Division, Department of Justice; and public witnesses.

#### COPYRIGHT ACT REFORM

*Committee on the Judiciary:* Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on Reforming Section 115 of the Copyright Act for the Digital Age. Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress.

#### PUERTO RICO MEASURES

*Committee on Natural Resources:* Subcommittee on Insular Affairs held a hearing on the following bills: H.R. 900, Puerto Rico Democracy Act of 2007; and H.R. 1230, Puerto Rico Self-Determination Act of 2007. Testimony was heard from Kenneth Thomas, Congressional Research Service, Library of Congress; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Subcommittee on Fisheries, Wildlife and Oceans approved for full Committee action, as amended, the following bills: H.R. 50, Multinational Species Conservation Funds Reauthorization Act of 2007; H.R. 465, Asian Elephant Conservation Reauthorization Act of 2007; and H.R. 1205, Coral Reef Conservation Amendments Act of 2007.

#### D.C. COLLEGE ACCESS ACT EXTENSION

*Committee on Oversight and Reform:* Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing on H.R. 1124, To extend the District of Columbia College Access Act of 1999. Testimony was heard from Mayor Adrian M. Fenty, District of Columbia; and public witnesses.

#### NOAA BUDGET FISCAL YEAR 2008

*Committee on Science and Technology:* Subcommittee on Energy and Environment held a hearing on NOAA Fiscal Year 2008 Budget. Testimony was heard from VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary for Oceans and Atmosphere and Administrator, NOAA, Department of Commerce; and a public witness.

#### FAA'S RESEARCH AND DEVELOPMENT BUDGET PRIORITIES FISCAL YEAR 2008

*Committee on Science and Technology:* Subcommittee on Space and Aeronautics held a hearing on FAA's Research and Development Budget Priorities for Fiscal Year 2008. Testimony was heard from Victoria Cox, Air Traffic Organization Vice President for Operations Planning, FAA, Department of Transportation; R. John Hansman, Co-Chair, FAA's Research Engineering and Development Advisory Committee; and public witnesses.

#### HIDDEN TAX ON SMALL BUSINESS

*Committee on Small Business:* Held a hearing entitled "The New Hidden Tax on Small Business." Testimony was heard from public witnesses.

#### FAA'S OPERATIONAL AND SAFETY PROGRAMS

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing to review FAA's Operational and Safety Program. Testimony was heard from Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; Warren Kroeppel, General Manager, LaGuardia Airport, Port Authority of New York and New Jersey; and public witnesses.

#### NATIONAL GUARD AND RESERVE EDUCATION BENEFITS

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing on Education Benefits for National Guard and Reserve members. Testimony was heard from the following officials of the Department of Defense: Craig W. Duehring, Principal Deputy Assistant Secretary, Reserve Affairs; MG Terry L. Scherling, USAF, Director, Joint Staff, National Guard Bureau; and MG William D. Wofford, USA, State Adjutant General, Arkansas National Guard; and representatives of veterans organizations.

**ELDERLY AND DISABLED REFUGEES ASSISTANCE**

*Committee on Ways and Means:* Subcommittee Income Security and Family Support held a hearing on Assistance for Elderly and Disabled Refugees. Testimony was heard from public witnesses.

**ALTERNATIVE MINIMUM TAX**

*Committee on Ways and Means:* Subcommittee on Select Revenue Measures held a hearing on the Alternative Minimum Tax. Testimony was heard from public witnesses.

**COUNTERINTELLIGENCE**

*Permanent Select Committee on Intelligence:* Met in executive session to hold hearing on Counterintelligence. Testimony was heard from departmental witnesses.

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**NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST, p. D 345)

H.R. 342, to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the “Rush Hudson Limbaugh, Sr. United States Courthouse”. Signed on March 21, 2007 (Public Law 110–13)

H.R. 544, to designate the United States courthouse at South Federal Place in Sante Fe, New Mexico, as the “Santiago E. Campos United States Courthouse”. Signed on March 21, 2007 (Public Law 110–14)

**COMMITTEE MEETINGS FOR FRIDAY,  
MARCH 23, 2007**

(Committee meetings are open unless otherwise indicated)

**Senate**

No meetings/hearings scheduled.

**House**

*Committee on Armed Services,* hearing on the Second Report to Congress by the Commission on the National Guard and Reserves, 11 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on Fiscal Year 2008 National Defense Authorization Budget Request and the status of space activities, 9 a.m., 2212 Rayburn.

*Committee on Education and Labor,* Subcommittee on Early Childhood, Elementary and Secondary Education, hearing on Impact of NCLB on English Language Learners, 9:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* to continue mark up of H.R. 493, Genetic Information Nondiscrimination Act of 2007, 9:30 a.m., 2123 Rayburn.

*Committee on Financial Services,* hearing on the Role of Public Investment in Promoting Economic Growth, 10 a.m., 2128 Rayburn.

*Committee on Homeland Security,* Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled “Foreign Ownership: Discussion of Challenges Posed by Foreign Ownership To Using Critical Infrastructure,” 10 a.m., 311 Cannon.

*Committee on House Administration,* Subcommittee on Elections, to continue hearings on Election Reform, H.R. 811, Voter Confidence and Increased Accessibility Act of 2007, 9:30 a.m., 1310 Longworth.

*Next Meeting of the SENATE*

9 a.m., Friday, March 23

## Senate Chamber

**Program for Friday:** Senate will continue consideration of S. Con. Res. 21, Budget Resolution.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, March 23

## House Chamber

**Program for Friday:** Continue consideration of H.R. 1591—Making emergency supplemental appropriations for the fiscal year ending September 30, 2007.



## Congressional Record

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